

Sixty-fourth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1228**

Introduced by

Representatives Owens, Brandenburg, Delmore, Dockter

Senators Dotzenrod, Oehlke, Wanzek

1 A BILL for an Act to amend and reenact subsection 6 of section 57-38-01.8 of the North Dakota  
2 Century Code, relating to the carryforward period for excess geothermal, solar, wind, or  
3 biomass energy device income tax credits; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Subsection 6 of section 57-38-01.8 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 6. a. The credit allowed under this section may not exceed the liability for tax under  
8 this chapter. If the amount of credit determined under this section exceeds the  
9 liability for tax under this chapter, the excess may be used as a credit carryover  
10 to each of the five succeeding taxable years.

11 b. Any excess tax credits earned for wind energy devices installed after  
12 September 30, 2008, and before January 1, 2012, may be used as a credit  
13 carryover to each of the ~~twenty~~thirty succeeding taxable years.

14 c. For any tax credits for geothermal, solar, or biomass energy devices installed  
15 after September 30, 2008, and wind energy devices installed after December 31,  
16 2011, the excess may be used as a credit carryover to each of the ten  
17 succeeding taxable years.

18 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
19 December 31, 2014.