

HOUSE BILL NO. 1223

Introduced by

Representative Glassheim

1 A BILL for an Act to create and enact a new subsection to section 57-38-30.3 of the North
2 Dakota Century Code, relating to a refundable individual income tax credit to provide tax relief
3 by refund of a portion of state and local taxes; to provide an appropriation; to provide an
4 effective date; and to provide an expiration date.

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

6 **SECTION 1.** A new subsection to section 57-38-30.3 of the North Dakota Century Code is
7 created and enacted as follows:

8 An individual eighteen years of age or older during the taxable year who was a
9 resident of this state and maintained a primary residence in this state for the entire
10 taxable year is entitled to a credit of four hundred dollars. The credit under this
11 subsection must be subtracted from any tax liability of the individual under this section
12 and any excess amount is refundable to the individual. The amount of the credit under
13 this subsection is conclusively presumed to be the amount to which a qualifying
14 individual is entitled as a refund of a portion of state and local taxes imposed upon,
15 and payable by, the individual during the taxable year. An individual is not eligible for
16 the credit under this subsection if that individual is eligible to be claimed as a
17 dependent on the state or federal income tax return of another individual.
18 a. The commissioner shall disseminate information to the public through methods
19 determined most effective to advise eligible individuals of eligibility for the
20 refundable credit available under this subsection.
21 b. The commissioner shall provide for random audits of claims for the credit under
22 this subsection.
23 c. An individual who, with intent to obtain a credit under this section to which that
24 individual is not entitled, makes, renders, signs, or verifies a false or fraudulent

1 claim of the credit under this section must be required to repay the amount of the
2 credit claimed and to pay a penalty of four hundred dollars, in addition to any
3 other penalty and interest provided under this chapter.

4 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
5 fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the
6 sum as may be necessary, to the tax commissioner for the purpose of disseminating information
7 about, and administering the provisions of the credit under section 1 of this Act, for the biennium
8 beginning July 1, 2013, and ending June 30, 2015.

9 **SECTION 3. EFFECTIVE DATE - EXPIRATION DATE.** This Act is effective for the first
10 taxable year beginning after December 31, 2012, and is thereafter ineffective.