

HOUSE BILL NO. 1373

Introduced by

Representatives Dosch, Trottier

Senator Davison

1 A BILL for an Act to create and enact section 6-09-38.1 and a new subdivision to subsection 2
2 of section 57-38-30.3 of the North Dakota Century Code, relating to creation of the North
3 Dakota achieving a better life experience plan and an individual income tax deduction for
4 contributions to the North Dakota achieving a better life experience plan; to amend and reenact
5 subsection 9 of section 57-38-57 of the North Dakota Century Code, relating to the North
6 Dakota achieving a better life experience plan; to provide a continuing appropriation; and to
7 provide an effective date.

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

9 **SECTION 1.** Section 06-09-38.1 of the North Dakota Century Code is created and enacted
10 as follows:

11 **6-09-38.1. North Dakota achieving a better life experience plan - Administration -**
12 **Rules - Continuing appropriation.**

13 The Bank of North Dakota shall adopt rules to administer, manage, promote, and market
14 the North Dakota achieving a better life experience plan. The Bank shall ensure that the North
15 Dakota achieving a better life experience plan is maintained in compliance with internal revenue
16 service standards for qualified state disability expense programs. The Bank, as trustee of the
17 North Dakota achieving a better life experience plan, may impose an annual administrative fee
18 to recover expenses incurred in connection with operation of the plan. Administrative fees
19 received by the Bank are appropriated to the Bank on a continuing basis to be used as provided
20 under this section. Contributions made during the taxable year to a disabled individual savings
21 plan administered by the Bank, pursuant to the provisions of the plan, are eligible for an income
22 tax deduction as provided under chapter 57-38. Information related to the contributions is
23 confidential except as is needed by the tax commissioner for determining compliance with the
24 income tax deduction provided under chapter 57-38.

1 **SECTION 2.** A new subdivision to subsection 2 of section 57-38-30.3 of the North Dakota
2 Century Code is created and enacted as follows:

3 Reduced by an amount up to a maximum of five thousand dollars, or ten
4 thousand dollars if a joint return is filed, for contributions made under the North
5 Dakota achieving a better life experience plan administered by the Bank of North
6 Dakota under section 6-09-38.1.

7 **SECTION 3. AMENDMENT.** Subsection 9 of section 57-38-57 of the North Dakota Century
8 Code is amended and reenacted as follows:

9 9. The tax commissioner may disclose a taxpayer's name, address, and identification
10 number to the Bank of North Dakota for the sole purpose of administering the tax
11 deduction for contributions to the North Dakota higher education savings plan and
12 administering the North Dakota achieving a better life experience plan.

13 **SECTION 4. EFFECTIVE DATE.** Sections 1 and 2 of this Act are effective for contributions
14 made to the North Dakota achieving a better life experience plan administered by the Bank of
15 North Dakota after December 31, 2014, and are effective for taxable years beginning after
16 December 31, 2014.