

**Sixty-third Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 8, 2013**

SENATE BILL NO. 2163  
(Senators Grindberg, Oehlke, Nelson)  
(Representatives Hatlestad, Hawken, Delmore)

AN ACT to amend and reenact section 53-06.1-12 of the North Dakota Century Code, relating to gaming taxes.

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

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

**53-06.1-12. Gaming tax - Deposits and allocations.**

1. A gaming tax is imposed on the total gross proceeds received by a licensed organization in a quarter and it must be computed and paid to the attorney general on a quarterly basis on the tax return. This tax must be paid from adjusted gross proceeds and is not part of the allowable expenses. ~~The tax rate for~~For a licensed organization with gross proceeds:
  - a. ~~Not exceeding five hundred thousand dollars is one percent of gross proceeds.~~
  - b. ~~Exceeding five hundred thousand dollars but not exceeding one million five hundred thousand dollars the tax is one and one-half percent of gross proceeds.~~
  - e.b. ~~Exceeding one million five hundred thousand dollars but not exceeding one million five hundred the tax is fifteen thousand dollars is plus two and twenty-five hundredths percent of gross proceeds exceeding one million five hundred thousand dollars.~~
  - d. ~~Exceeding one million five hundred thousand dollars is two and one-half percent of gross proceeds.~~
2. The tax must be paid to the attorney general at the time tax returns are filed.
3. Except as provided in subsection 4, the attorney general shall deposit gaming ~~and excise~~ taxes, monetary fines, and interest and penalties collected in the general fund in the state treasury.
4. The attorney general shall deposit ~~six~~seven percent of the total taxes, less refunds, collected under this section into a gaming ~~and excise~~ tax allocation fund. Pursuant to legislative appropriation, moneys in the fund must be distributed quarterly to cities and counties in proportion to the taxes collected under this section from licensed organizations conducting games within each city, for sites within city limits, or within each county, for sites outside city limits. If a city or county allocation under this subsection is less than two hundred dollars, that city or county is not entitled to receive a payment for the quarter and the undistributed amount must be included in the total amount to be distributed to other cities and counties for the quarter.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2163.

Senate Vote:    Yeas 47            Nays 0            Absent 0

House Vote:    Yeas 63            Nays 27           Absent 4

\_\_\_\_\_  
Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State