

SENATE BILL NO. 2207

Introduced by

Senators Grindberg, Holmberg, Robinson

Representatives Dockter, Kreun, Thoreson

1 A BILL for an Act to create and enact a new subsection to section 57-38-30.5 of the North
2 Dakota Century Code, relating to the effect of the expiration of the federal research tax credit
3 on the state income tax credit for research and experimental expenditures; ~~and~~ to provide for
4 retroactive application; 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 57-38-30.5 of the North Dakota Century Code is
7 created and enacted as follows:

8 For any taxable year in which the federal research tax credit provisions of section 41
9 of the Internal Revenue Code are ineffective, the provisions of section 41 of the
10 Internal Revenue Code referenced in this section have the same meaning and
11 application as provided in section 41 of the Internal Revenue Code [26 U.S.C. 41], as
12 amended through the most recent taxable year in which the provisions were in effect.

13 **SECTION 2. RETROACTIVE APPLICATION.** This Act applies retroactively to taxable years
14 beginning after December 31, 2011.

15 **SECTION 3. EXPIRATION DATE.** This Act is effective through December 31, 2014, and
16 after that date is ineffective.