

Sixty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2230

Introduced by

Senator O. Larsen

Representative Keiser

1 A BILL for an Act to amend and reenact section 57-38-29.3 of the North Dakota Century Code,
2 relating to an income tax credit for premiums for hybrid long-term care partnership plan
3 insurance coverage; and to provide an effective date.

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

5 **SECTION 1. AMENDMENT.** Section 57-38-29.3 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **57-38-29.3. Credit for premiums for long-term care partnership plan insurance**
8 **coverage.**

9 A credit against an individual's tax liability under this chapter is provided to each taxpayer in
10 the amount of the premiums paid during the taxable year by the taxpayer for qualified long-term
11 care partnership plan insurance coverage, or for long-term care insurance coverage that is part
12 of a hybrid long-term care insurance policy as provided for under section 844(b) of the Pension
13 Protection Act of 2006 [Pub. L. 109-280; 25 U.S.C. 1035], for the taxpayer or the taxpayer's
14 spouse, or both. The credit under this section for each insured individual may not exceed two
15 hundred fifty dollars in any taxable year. For purposes of this section, "qualified long-term care
16 partnership plan" is one that:

- 17 1. Is a qualified long-term care insurance policy, as defined in section 7702B(b) of the
18 Internal Revenue Code of 1986, with an issue date on or after the date specified in an
19 approved medicaid state plan amendment that provides for the disregard of assets;
- 20 2. Meets the requirements of the long-term care insurance model regulations and the
21 long-term care insurance model act promulgated by the national association of
22 insurance commissioners as adopted as of October 2000, or the insurance
23 commissioner certifies that the policy meets those requirements; and
- 24 3. Is purchased by an individual who:

- 1 a. Has not attained age sixty-one as of the date of purchase, if the policy provides
- 2 compound annual inflation protection;
- 3 b. Has attained age sixty-one but has not attained age seventy-six as of the date of
- 4 purchase, if the policy provides some level of inflation protection; or
- 5 c. Has attained age seventy-six as of the date of purchase.

6 **SECTION 2. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
7 December 31, 2016.