

Sixty-seventh  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1281

Introduced by

Representatives Ertelt, Christensen, Lefor, Louser, Rohr, M. Ruby, Simons, Steiner

Senator O. Larsen

1 A BILL for an Act to create and enact a new section to chapter 57-38 and a new subdivision to  
2 subsection 7 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax  
3 credit for taxpayers whose children receive nonpublic school or home education; and to provide  
4 an effective date.

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

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

8 **Nonpublic school or home education tax credit.**

- 9 1. A taxpayer is entitled to a credit against tax liability determined under section  
10 57-38-30.3 for each dependent of the taxpayer who received nonpublic school  
11 education, at a nonpublic school approved under section 15.1-06-06.1, or home  
12 education, as defined in section 15.1-23-01, for the entire school year ending in the  
13 taxable year if the taxpayer is a North Dakota resident. To qualify for the credit under  
14 this section, home education must meet the requirements of chapter 15.1-23.
- 15 2. The amount of the credit is equal to five hundred dollars per student.
- 16 3. The amount of the credit under this section is reduced by fifty percent for a dependent  
17 who received nonpublic school education or home education for less than the entire  
18 school year, but at least one-half of the school year, ending during the taxable year.
- 19 4. A credit under this section is not allowed for a dependent who received nonpublic  
20 school education or home education for less than one-half of the school year ending in  
21 the taxable year.
- 22 5. If the amount of the credit determined under this section exceeds the taxpayer's  
23 liability for tax under this chapter, the excess may be carried forward to the next  
24 succeeding taxable year.

1       **SECTION 2.** A new subdivision to subsection 7 of section 57-38-30.3 of the North Dakota  
2 Century Code is created and enacted as follows:

3                   Nonpublic school or home education tax credit under section 1 of this Act.

4       **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after  
5 December 31, 2020.