

**FIRST ENGROSSMENT
with Senate Amendments
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 education; and to provide an
4 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 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 for the entire
12 school year ending in the taxable year if the taxpayer is a North Dakota resident.
13 2. The amount of the credit is equal to five hundred dollars per student.
14 3. The amount of the credit under this section is reduced by fifty percent for a dependent
15 who received nonpublic school education for less than the entire school year, but at
16 least one-half of the school year, ending during the taxable year.
17 4. A credit under this section is not allowed for a dependent who received nonpublic
18 school education for less than one-half of the school year ending in the taxable year.
19 5. If the amount of the credit determined under this section exceeds the taxpayer's
20 liability for tax under this chapter, the excess may be carried forward to the next
21 succeeding taxable year.

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

24 Nonpublic school education tax credit under section 1 of this Act.

- 1 **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
- 2 December 31, 2020.