Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

HOUSE BILL NO. 1228
(Representatives Owens, Brandenburg, Delmore, Dockter)
(Senators Dotzenrod, Oehlke, Wanzek)

AN ACT to amend and reenact subsection 6 of section 57-38-01.8 of the North Dakota Century Code, relating to the carryforward period for excess geothermal, solar, wind, or biomass energy device income tax credits; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 6 of section 57-38-01.8 of the North Dakota Century Code is amended and reenacted as follows:

6. a. The credit allowed under this section may not exceed the liability for tax under this chapter. If the amount of credit determined under this section exceeds the liability for tax under this chapter, the excess may be used as a credit carryover to each of the five succeeding taxable years.

   b. Any excess tax credits earned for wind energy devices installed after September 30, 2008, and before January 1, 2012, may be used as a credit carryover to each of the ~~twenty~~thirty succeeding taxable years.

   c. For any tax credits for geothermal, solar, or biomass energy devices installed after September 30, 2008, and wind energy devices installed after December 31, 2011, the excess may be used as a credit carryover to each of the ten succeeding taxable years.

SECTION 2. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 2014.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1228.

House Vote:	Yeas 74	Nays 19	Absent 1
Senate Vote:	Yeas 45	Nays 1	Absent 1

Chief Clerk of the House

Received by the Governor at 2:52 P.M. on April 1, 2015.

Approved at 2:24 P.M. on April 2, 2015.

Governor

Filed in this office this 2nd day of April, 2015,

at 3:23 o'clock P M.

Secretary of State