

HOUSE BILL NO. 1244

Introduced by

Representatives Schatz, Henderson, Hendrix, Hoverson, D. Johnston, Marshall

Senators Enget, Powers

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 a home
3 education income tax credit for qualified educational expenses; and to provide an effective date.

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

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

7 **Home education income tax credit for qualified educational expenses.**

- 8 1. A taxpayer is allowed a credit against the tax imposed under section 57-38-30.3 in the
9 amount of qualified educational expenses paid by the taxpayer for each qualifying
10 child during the taxable year.
- 11 2. The amount of the credit under this section is limited to ten thousand dollars per
12 qualifying child per taxable year. In the case of a married individual filing a separate
13 return, the credit under this section is limited to five thousand dollars per qualifying
14 child per taxable year.
- 15 3. For purposes of this section:
- 16 a. "Dependent" has the same meaning it has for federal income tax purposes.
- 17 b. "Qualified educational expenses" means the amount expended for each
18 qualifying child for items used directly for home education of the qualifying child,
19 including books, tuition, supplementary materials, computers or similar electronic
20 devices, accessories for computers or similar electronic devices, and computer
21 software, applications, or subscriptions.
- 22 c. "Qualifying child" means a student who is a dependent of the taxpayer, received
23 home education under chapter 15.1-23 during the taxable year, and was under
24 the age of nineteen at the end of the taxable year.

1 4. The credit under this section may not exceed the taxpayer's liability as determined
2 under this chapter for the taxable year.

3 5. To receive the tax credit provided under this section, a taxpayer shall claim the credit
4 in the form and manner prescribed by the tax commissioner.

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

7 Home education income tax credit for qualified educational expenses under
8 section 1 of this Act.

9 **SECTION 3. EFFECTIVE DATE.** This Act is effective for taxable years beginning after
10 December 31, 2024.