

January 22, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### 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~~one 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~~hundred dollars per  
14 qualifying 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

1                    devices, accessories for computers or similar electronic devices, and computer  
2                    software, applications, or subscriptions.

3                    c. "Qualifying child" means a student who is a dependent of the taxpayer, received  
4                    home education under chapter 15.1-23 during the taxable year, and was under  
5                    the age of nineteen at the end of the taxable year.

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

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

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

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

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