Schedule
ND-1FA

North Dakota Office of State Tax Commissioner

Calculation of tax under 3-year averaging method for elected farm income

2012

Attach to Form ND-1

Please type or print in black or blue ink.

Your name as shown on Form ND-1	Your Social Security Number

► **See instructions to this schedule to see if you are eligible to use it**

1. North Dakota taxable income from Form ND-1, line 18 ---------- 1 _____

2. Elected farm income from your 2012 Schedule J (Form 1040), line 2a. If this amount includes a net long-term capital gain, see instructions. **Do not enter more than the amount on line 1** ---------- ► 2 _____

3. Subtract line 2 from line 1 ---------- 3 _____

4. Tax on the amount on line 3 from Tax Table on page 20 of 2012 Form ND-1 instructions 4 _____

5. If you used Schedule ND-1FA to figure your tax for:

- 2011, enter amount from your 2011 Schedule ND-1FA, line 11.
- 2010 but not 2011, enter amount from your 2010 Schedule ND-1FA, line 15.
- 2009 but not 2010 nor 2011, enter amount from your 2009 Schedule ND-1FA, line 3.

Otherwise, enter amount from 2009 Form ND-1, line 18, **OR** from 2009 Form ND-EZ, line 1.

If line 5 is zero or less, see instructions.

► --- 5 _____

6. Divide the amount on **line 2** by **3.0** ---------- 6 _____

7. Add lines 5 and 6. *If less than zero, enter zero* ---------- 7 _____

8. Figure the tax on the amount on line 7 using the 2009 Form ND-1/ND-EZ Tax Rate Schedules on page 2 of the instructions ---------- ► 8 _____

9. If you used Schedule ND-1FA to figure your tax for:

- 2011, enter amount from your 2011 Schedule ND-1FA, line 15.
- 2010 but not 2011, enter amount from your 2010 Schedule ND-1FA, line 3.

Otherwise, enter amount from 2010 Form ND-1, line 18, **OR** from 2010 Form ND-EZ, line 1.

If line 9 is zero or less, see instructions.

► --- 9 _____

10. Enter amount from line 6 ---------- 10 _____

11. Add lines 9 and 10. *If less than zero, enter negative number* ---------- 11 _____

12. Figure the tax on the amount on line 11 using the 2010 Form ND-1/ND-EZ Tax Rate Schedules on page 2 of the instructions ---------- ► 12 _____

13. If you used Schedule ND-1FA to calculate your tax for 2011, enter the amount from your 2011 Schedule ND-1FA, line 3. Otherwise, enter amount from 2011 Form ND-1, line 18, **OR** from 2011 Form ND-EZ, line 1 ---------- ► 13 _____

If line 13 is zero or less, see instructions.

14. Enter amount from line 6 ---------- 14 _____

15. Add lines 13 and 14. *If less than zero, enter negative number* ---------- 15 _____

16. Figure the tax on the amount on line 15 using the 2011 Form ND-1/ Form ND-EZ Tax Rate Schedules on page 2 of the instructions. ---------- ► 16 _____

17. Add lines 4, 8, 12 and 16. Enter this amount on page 2, line 18, of this schedule ---------- 17 _____

18. Enter the amount from page 1, line 17 ..... 18 _____

19. If you used Schedule ND-1FA to figure your tax for:

- 2011, enter amount from your 2011 Schedule ND-1FA, line 12.
- 2010 but not 2011, enter amount from your 2010 Schedule ND-1FA, line 16.
- 2009 but not 2010 nor 2011, enter amount from your 2009 Schedule ND-1FA, line 4.

Otherwise, enter amount from 2009 Form ND-1, line 20 (if full-year resident) or Schedule ND-1NR, line 20 (if full-year nonresident or part-year resident) **OR** from 2009 Form ND-EZ, line 2. ▶ 19 _____

20. If you used Schedule ND-1FA to figure your tax for:

- 2011, enter amount from your 2011 Schedule ND-1FA, line 16.
- 2010 but not 2011, enter amount from your 2010 Schedule ND-1FA, line 4.

Otherwise, enter amount from 2010 Form ND-1, line 20 (if full-year resident) or Schedule ND-1NR, line 20 (if full-year nonresident or part-year resident) **OR** from 2010 Form ND-EZ, line 2. ▶ 20 _____

21. If you used Schedule ND-1FA to figure your tax for 2011, enter amount from 2011 Schedule ND-1FA, line 4. Otherwise, enter amount from 2011 Form ND-1, line 20 (if full-year resident) or Schedule ND-1NR, line 20 (if full-year nonresident or part-year resident) **OR** from 2011 Form ND-EZ, line 2. ..... ▶ 21 _____

22. Add lines 19, 20, and 21 ..... 22 _____

23. Subtract line 22 from line 18. Enter result on your return as follows:

- If you (and your spouse, if filing jointly) were full-year residents, enter the amount from this line on your 2012 Form ND-1, line 20.
- If you are required to use Schedule ND-1NR, enter the amount from this line on your 2012 Schedule ND-1NR, line 20.

▶ (F1) 23 _____

► **Caution:** If you (and your spouse, if filing jointly) are full-year residents, the tax on line 23 above may be higher than the tax calculated without the use of this schedule.

If you are required to use Schedule ND-1NR, the tax on line 23 above is not your actual tax liability. You must enter the tax from line 23 of this schedule on your 2012 Schedule ND-1NR, line 20, and complete the remainder of Schedule ND-1NR to calculate your actual tax liability. Please note that the tax calculated based on the use of Schedule ND-1FA may be higher than the tax calculated without it.

► ***Attach this schedule to your Form ND-1 only if you are choosing to pay the tax based on its use.***

General instructions

Eligibility

You are eligible to use the 2012 Schedule ND-1FA to calculate your tax for 2012 if you used Schedule J (Form 1040) to calculate your 2012 federal income tax.

The use of Schedule ND-1FA is elective. You do not have to use it even though you used Schedule J (Form 1040) to calculate your federal income tax for 2012.

IMPORTANT: It is possible for the tax calculated using Schedule ND-1FA to be higher than the tax calculated on all of your income using the regular method (without Schedule ND-1FA). Complete and attach Schedule ND-1FA to your Form ND-1 ***only if*** you are electing to pay the tax that results from using Schedule ND-1FA.

Copies of 2009, 2010, and 2011 returns

You will need copies of your 2009, 2010, and 2011 North Dakota income tax returns to complete the 2012 Schedule ND-1FA. If you do not have a copy of any of these returns, see the back cover of the 2012 Form ND-1 instruction booklet for information on how to obtain one.

If you filed an amended North Dakota income tax return, or if the Office of State Tax Commissioner made changes to your North Dakota income tax return for 2009, 2010, or 2011, you must use the corrected amounts when completing Schedule ND-1FA.

Specific line instructions

Line 2

Enter your elected farm income from the 2012 Schedule J (Form 1040), line 2a. However, if you claimed an exclusion on line 8 of your 2012 Form ND-1 attributable to a net long-term capital gain included in your federal elected farm income, subtract that portion of the exclusion from your federal elected farm income and enter the result on this line.

Lines 5, 9, and 13

For purposes of completing lines 5, 9, and 13 of the 2012 Schedule ND-1FA, your North Dakota taxable income may be a negative number. If your North Dakota taxable income for a base year is mathematically less than zero, use the negative number for purposes of completing these lines.

No filing requirement for base year. If you were not required to file a North Dakota income tax return for one or more of the base years, you must complete the applicable North Dakota return for each base year for which a return was not filed. Complete the return through the line on which the tax is calculated. Use the figures from the return completed for the base year to complete the applicable lines of the 2012 Schedule ND-1FA.

2009 Form ND-1/ND-EZ Tax Rate Schedules

If you used Form ND-1 or Form ND-EZ for the 2009 tax year, use these tax rate schedules to calculate the tax to enter on line 8. Use the schedule that corresponds to your filing status for the 2009 tax year.

Single

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 33,950			1.84% of the revised taxable income	
33,950	82,250	$ 624.68	+	3.44% of amount over	$ 33,950
82,250	171,550	2,286.20	+	3.81% of amount over	82,250
171,550	372,950	5,688.53	+	4.42% of amount over	171,550
372,950		14,590.41	+	4.86% of amount over	372,950

Married filing jointly and Qualifying widow(er)

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 56,750			1.84% of the revised taxable income	
56,750	137,050	$ 1,044.20	+	3.44% of amount over	$ 56,750
137,050	208,850	3,806.52	+	3.81% of amount over	137,050
208,850	372,950	6,542.10	+	4.42% of amount over	208,850
372,950		13,795.32	+	4.86% of amount over	372,950

Married filing separately

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 28,375			1.84% of the revised taxable income	
28,375	68,525	$ 522.10	+	3.44% of amount over	$ 28,375
68,525	104,425	1,903.26	+	3.81% of amount over	68,525
104,425	186,475	3,271.05	+	4.42% of amount over	104,425
186,475		6,897.66	+	4.86% of amount over	186,475

Head of Household

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 45,500			1.84% of the revised taxable income	
45,500	117,450	$ 837.20	+	3.44% of amount over	$ 45,500
117,450	190,200	3,312.28	+	3.81% of amount over	117,450
190,200	372,950	6,084.06	+	4.42% of amount over	190,200
372,950		14,161.61	+	4.86% of amount over	372,950

2010 Form ND-1/ND-EZ Tax Rate Schedules

If you used Form ND-1 or Form ND-EZ for the 2010 tax year, use these tax rate schedules to calculate the tax to enter on line 12. Use the schedule that corresponds to your filing status for the 2010 tax year.

Single

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 34,000			1.84% of the revised taxable income	
34,000	82,400	$ 625.60	+	3.44% of amount over	$ 34,000
82,400	171,850	2,290.56	+	3.81% of amount over	82,400
171,850	373,650	5,698.61	+	4.42% of amount over	171,850
373,650		14,618.17	+	4.86% of amount over	373,650

Married filing jointly and Qualifying widow(er)

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 56,850			1.84% of the revised taxable income	
56,850	137,300	$ 1,046.04	+	3.44% of amount over	$ 56,850
137,300	209,250	3,813.52	+	3.81% of amount over	137,300
209,250	373,650	6,554.82	+	4.42% of amount over	209,250
373,650		13,821.30	+	4.86% of amount over	373,650

Married filing separately

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 28,425			1.84% of the revised taxable income	
28,425	68,650	$ 523.02	+	3.44% of amount over	$ 28,425
68,650	104,625	1,906.76	+	3.81% of amount over	68,650
104,625	186,825	3,277.41	+	4.42% of amount over	104,425
186,825		6,910.65	+	4.86% of amount over	186,825

Head of Household

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 45,550			1.84% of the revised taxable income	
45,550	117,650	$ 838.12	+	3.44% of amount over	$ 45,550
117,650	190,550	3,318.36	+	3.81% of amount over	117,650
190,550	373,650	6,095.85	+	4.42% of amount over	190,550
373,650		14,188.87	+	4.86% of amount over	373,650

2011 Form ND-1/ND-EZ Tax Rate Schedules

If you used Form ND-1 or Form ND-EZ for the 2011 tax year, use these tax rate schedules to calculate the tax to enter on line 16. Use the schedule that corresponds to your filing status for the 2011 tax year.

Single

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 34,500			1.51% of the revised taxable income	
34,500	83,600	$ 520.95	+	2.82% of amount over	$ 34,500
83,600	174,400	1,905.57	+	3.13% of amount over	83,600
174,400	379,150	4,747.61	+	3.63% of amount over	174,400
379,150		12,180.04	+	3.99% of amount over	379,150

Married filing jointly and Qualifying widow(er)

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 57,700			1.51% of the revised taxable income	
57,700	139,350	$ 871.27	+	2.82% of amount over	$ 57,700
139,350	212,300	3,173.80	+	3.13% of amount over	139,350
212,300	379,150	5,457.14	+	3.63% of amount over	212,300
379,150		11,513.79	+	3.99% of amount over	379,150

Married filing separately

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 28,850			1.51% of the revised taxable income	
28,850	69,675	$ 435.64	+	2.82% of amount over	$ 28,850
69,675	106,150	1,586.90	+	3.13% of amount over	69,675
106,150	189,575	2,728.57	+	3.63% of amount over	106,150
189,575		5,756.90	+	3.99% of amount over	189,575

Head of Household

If revised taxable income for tax year is: — The revised tax is equal to:

Over	But not over				
$ 0	$ 46,250			1.51% of the revised taxable income	
46,250	119,400	$ 698.38	+	2.82% of amount over	$ 46,250
119,400	193,350	2,761.21	+	3.13% of amount over	119,400
193,350	379,150	5,075.84	+	3.63% of amount over	193,350
379,150		11,820.38	+	3.99% of amount over	379,150