Schedule
ND-1NR

North Dakota Office of State Tax Commissioner
Tax calculation for nonresidents and part-year residents

2012
Attach to Form ND-1

Please type or print in black or blue ink. See separate instructions.

Your name	Your social security number	If joint return, spouse's name	Spouse's social security number

▶ **Residency status:** ◯ Full-year resident ◯ Full-year nonresident ◯ Part-year resident

▶ If full-year nonresident or part-year resident, enter name of other state _____

▶ If part-year resident, enter dates of residence in North Dakota below:

_____ to _____
MM DD YYYY MM DD YYYY

▶ **Residency status:** ◯ Full-year resident ◯ Full-year nonresident ◯ Part-year resident

▶ If full-year nonresident or part-year resident, enter name of other state _____

▶ If part-year resident, enter dates of residence in North Dakota below:

_____ to _____
MM DD YYYY MM DD YYYY

Calculation of North Dakota source income

		Column A Total From Federal Return		Column B North Dakota Portion
1. Wages, salaries, tips, etc. *(line 7 of Form 1040 or 1040A, or line 1 of Form 1040EZ)*	1		1	
2. Taxable interest and dividend income *(lines 8a and 9a of Form 1040 or 1040A, or line 2 of Form 1040EZ)*	2		2	
3. Business income or loss *(line 12 of Form 1040)*	3		3	
4. Ordinary and capital gains and losses *(lines 13 and 14 of Form 1040, or line 10 of Form 1040A)*	4		4	
5. IRAs, pensions, and annuities *(lines 15b and 16b of Form 1040, or lines 11b and 12b of Form 1040A)*	5		5	
6. Rental real estate, royalties, partnerships, S corporations, trusts, etc. *(line 17 of Form 1040)*	6		6	
7. Farm income or loss *(line 18 of Form 1040)*	7		7	
8. Other income *(lines 10, 11, 19, 20b and 21 of Form 1040, or lines 13 and 14b of Form 1040A, or line 3 of Form 1040EZ)*	8		8	
9. Add lines 1 through 8	9		9	
10. Student loan interest *(line 33 of Form 1040, or line 18 of Form 1040A)*	10		10	
11. Moving expenses *(line 26 of Form 1040)*	11		11	
12. Self-employed deductions *(lines 27, 28, and 29 of Form 1040)*	12		12	
13. IRA deduction *(line 32 of Form 1040 or line 17 Form 1040A)*	13		13	
14. Other *(lines 23, 24, 25, 30, 31a, 34, and 35 of Form 1040, or lines 16 and 19 of 1040A)*	14		14	
15. **U.S. obligation interest** *(from Form ND-1, line 7)* and **SCRA adjustment** *(from Form ND-1, line 13)*	15			
16. **North Dakota source income.** Line 9, Column B, less lines 10 through 14, Columm B. If less than zero, enter 0	(N1) 16			
17. Line 9, Column A, less lines 10 through 15, Column A. If less than zero, enter 0	(N2) 17			
18. North Dakota income ratio. Divide line 16 by line 17. Round to nearest four decimal places. If line 16 is more than line 17, enter 1.0000. If line 16 is zero, enter 0.			18	

Calculation of tax on North Dakota source income

19. Enter amount from Form ND-1, page 2, line 19 ____ 19 _____

20. Enter tax for the amount on line 19 from Tax Table on page 20 of Form ND-1 instructions. If you have farm income, see the instructions ____ (N3) 20 _____

21. **Tax on North Dakota source income.** Multiply line 20 by ratio on line 18. Enter the amount from this line on Form ND-1, page 2, line 20 ____ 21 _____

2012 Schedule ND-1NR instructions

Who must complete

If you were a full-year nonresident or a part-year resident of North Dakota (ND) during the tax year, you must complete this schedule to calculate your tax. If married filing jointly, this applies if either spouse was a nonresident of ND for part or all of the tax year. If you were a full-year resident of Minnesota or Montana, and all of your income is exempt from ND tax under reciprocity, do not complete this schedule. See "Reciprocity" in the Form ND-1 instruction booklet for more information.

How to complete

Fill in your name, social security number, and residency status at the top of the schedule. If you were a part-year resident of ND during the tax year, enter the dates you were a resident of North Dakota. If you were a full-year nonresident or part-year resident, enter the name of the other state where you were a resident. If, instead of a state, you were a resident of a foreign country, enter the name of the country.

Complete Column A (Total from federal return) first by filling in the total amounts from your federal income tax return. Then complete Column B (North Dakota portion) according to the specific line instructions that follow.

Column B instructions

Complete Column B by filling in the portion of the amount in Column A that is reportable to ND, as explained in the specific line instructions for Column B. ***Do not enter in Column B the portion of ND income that was subtracted on Form ND-1, lines 7 through 16.***

Line 1, Column B

Include wages, salaries, tips, commissions, bonuses, and other compensation received for services performed in ND while a nonresident, and all compensation received while a ND resident. Do not include on line 1, Column B:

- Compensation for work performed in ND while a Minnesota or Montana resident if eligible for exemption under reciprocity.
- Compensation for active duty service in the U.S. armed forces received while a nonresident.
- Compensation received for work performed in ND while a nonresident if it was for performing regular assigned duties in more than one state for a rail, motor, air, or water carrier as provided under federal interstate commerce law.
- Compensation received for work performed in ND while a nonresident if you are a civilian spouse of a nonresident U.S. armed forces member stationed in ND and you are in ND only to live with the servicemember.

Line 2, Column B

Include amounts received (or credited to your account) while a ND resident except interest from U.S. obligations. Also include ND-source interest and dividends received from a pass-through entity (e.g., a partnership) while a nonresident.

Line 3, Column B

Include net income or loss attributable to the portion of a sole proprietorship operated in ND while a nonresident, and net income or loss from a sole proprietorship (regardless of where its operations are located) while a ND resident. Do not include net income or loss from a personal or professional service business operated in ND while a Minnesota resident if the income is eligible for exemption under reciprocity.

Line 4, Column B

Include net gains and losses from tangible property in ND received while a nonresident, and net gains and losses from all property (regardless of its location) received while a resident. Also include your share of ND-source net gains and losses received from a pass-through entity (e.g., a partnership) while a nonresident.

Line 5, Column B

Include amounts received while a ND resident.

Line 6, Column B

Include net income and losses from the rental of tangible property in ND received while a nonresident, and net income and losses from the rental of all property (regardless of location) received while a ND resident.

Include royalties and other income from interests in oil, coal, or other mineral property in ND received while a nonresident, and income from all mineral properties (regardless of location) received while a ND resident.

Include ND ordinary income or loss, net rental income, and other income not reported on other lines received from a pass-through entity (e.g., a partnership) while a nonresident, and all similar types of income and losses received from a pass-through entity while a ND resident.

Include ND-source income and losses from an estate or trust received while a nonresident, and all income and losses received from an estate or trust while a ND resident. Do not include interest, dividends, pensions, or annuities received while a nonresident.

Line 7, Column B

Include net income or loss attributable to the portion of a farm operated in ND while a nonresident, and net income or loss from a farm (regardless of its location) while a ND resident.

Line 8, Column B

Include amounts received while a ND resident, and amounts received from ND sources while a nonresident. Unemployment compensation is from a ND source if attributable to work performed in ND. State and local income tax refunds, alimony, and social security benefits are not income from ND sources for a nonresident.

Part-year resident only—To determine the amount of your taxable social security benefits to include on this line, multiply the total gross social security benefits received while a resident by a percentage equal to the total taxable portion of your social security benefits divided by your total gross social security benefits.

Line 10, Column B

If a part-year resident, include expenses paid while a ND resident. Otherwise, multiply amount in Column A by a ratio equal to ND income divided by total income.

Line 11, Column B

Include moving expenses paid while a ND resident or that were attributable to a move into ND.

Line 12, Column B

Multiply amount in Column A by a ratio equal to ND self-employment income divided by total self-employment income.

Line 13, Column B

Multiply amount in Column A by a ratio equal to ND earned income divided by total earned income.

Line 14, Column B

Multiply health savings account deduction by a ratio equal to ND income divided by total income.

Multiply business expenses of reservists, performing artists, and fee-basis government officials by a ratio equal to ND wages or fees to which expenses relate divided by total wages or fees to which expenses relate.

Include the penalty on early withdrawal only if the related interest income is included on line 2, Column B.

If a part-year resident, include alimony paid while a ND resident. Otherwise, multiply the total alimony paid by a ratio equal to ND income divided by total income.

Multiply an MSA deduction by a ratio equal to ND compensation divided by total compensation from employer sponsoring MSA.

Multiply any other adjustment included on Form 1040, line 36, by a ratio equal to ND income to which adjustment relates divided by total income to which adjustment relates.

Include the portion of the domestic production activities deduction based on ND income.

Include jury duty pay only if the related employer wages are included on line 1, Column B.

Line 20

If you have farm income and you used Schedule J (Form 1040) to calculate your federal tax, see Schedule ND-1FA for an alternative tax calculation.