

New for 2005

A new line was added to Schedule ND-1NR. Enter on line 15 the amount of U.S. interest (*from Form ND-1, line 6*) and the Servicemembers Civil Relief Act adjustment (*from Form ND-1, line 14*).

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 North Dakota tax. If you are married and filing a joint return, this applies if *either* you or your 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** on page 6 of the Form ND-1 instruction booklet.

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 and the name of the other state where you were a resident.

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 6 through 14.**

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.

Line 2, Column B

Include amounts received (or credited to your account) while a ND resident. However, do not include interest from U.S. obligations. Also include your share of 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 your share of 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 your share of 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. 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 a clean fuel vehicle deduction and a 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 properly included in the total on line 36 of Form 1040 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.

Line 19

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.