



**APPLICATION FOR QUALIFICATION OF MACHINERY OR EQUIPMENT FOR THE PURPOSE OF AUTOMATING MANUFACTURING PROCESSES**  
 NORTH DAKOTA DEPARTMENT OF COMMERCE  
 SFN 60289 (12-2019)

ND Department of Commerce  
 Economic Development &  
 Finance Division Use Only  
 Qualified Automation  
 Purchases:  
 Approved  
 Denied

**Taxpayer Information**

Applicant Name		Federal Identification Number or Social Security Number	
Primary Contact			Telephone Number
Physical Location of ND Facility	City	State	ZIP Code
Mailing Address	City	State	ZIP Code
Website	Email Address		

**Business Information**

1. Is the business a certified "primary-sector" business? (refer to qualifications) <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>OFFICE USE ONLY</b>
2. Type of business: <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Subchapter S Corporation <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Other _____	

The undersigned certifies that the information provided in this document and its attachments is true and accurate.

Applicant (Please print)	Title
Signature	Date

*This application requires your Federal Identification Number or Social Security Number. It is under the authority of N.D.C.C. § 57-38-01.36 that you are required to provide this information. The Federal Identification Number or Social Security Number will be used for identification and qualification purposes, and will be provided to the North Dakota Tax Department. Failure to provide this information may cancel your qualification for this tax credit.*

**Purpose of Application**

Use this form to apply for qualification of machinery or equipment used to automate manufacturing processes for purposes of the automation income tax credit under N.D.C.C. § 57-38-01.36.

**Qualifications**

To be eligible for the credit, the following requirements must be met:

- The business must be certified as a "primary sector" business: A primary sector business means a business certified by the Department of Commerce which, through the employment of knowledge or labor, adds value to a product, process or service that results in the creation of new wealth.
- The business must purchase manufacturing machinery and equipment for the purpose of automating manufacturing processes in North Dakota, which is approved by the Department of Commerce. "Manufacturing machinery and equipment for the purpose of automating manufacturing processes" means new or used automation and robotic equipment.
- The automation of the manufacturing processes must improve job quality or increase output, which is reported to the Office of State Tax Commissioner. See the definitions for Supplement A on page 2 for more information.
- Expenditures approved for the automation income tax credit may not be used in the calculation of any other income tax deduction or credit.\*

**Instructions for Qualified Business**

On the Supplement A spreadsheet (<https://www.business.nd.gov/finance/TaxIncentives/>), describe in detail each new or used automation or robotic equipment acquired for the purpose of automating manufacturing processes. Describe the current manufacturing process and how each purchase will automate the process and impact job quality or output. Include invoices or other documentation evidencing the item purchased, the delivery date and receipt or proof of purchase.

Incomplete applications may be deemed ineligible and not processed.

Completed application including Supplement A and supporting documentation must be emailed to NDEDF@nd.gov by January 31 of the year following the year of the equipment purchase.

**If you have any questions or wish to withdraw an application, Call: 701-328-5300 or Email: NDEDF@nd.gov.**

For more information on the Automation Tax Credit, please visit: <http://www.legis.nd.gov/cencode/t57c38.pdf>.

\*Taxpayers choosing to pursue other income tax deductions or credits for the approved equipment must withdraw their automation income tax application before January 31. (For example, an application for equipment purchased in 2019 must be withdrawn before January 31, 2020.) If an application is not withdrawn, the equipment purchases resulting in a credit will be ineligible for any other income tax incentives. (Please note that accessing the automation credit does not prohibit taxpayers from also applying for sales tax exemptions.)

## Definitions

**Qualifying Invoice Line Item** – Document each invoice line item that qualifies for the tax credit (see list of non-qualifying costs below).

**Delivery Date** – A delivery is considered to be made on the date on which **title to the property transfers to the taxpayer**. If no title transfer is applicable, utilize the **delivery date** (provide proof of title transfer or equipment delivery). The following documents are acceptable means of proving delivery date:

- Shipping documents that show actual delivery date.
- Proof of payment for delivery/installation.
- Title transfer.
- Other documents showing delivery during applicable calendar year.

North Dakota has allotted \$1 million in credits for deliveries made in each calendar year (calendar years 2019-2022). If total credits based on purchases made by all taxpayers **delivered** in a calendar year exceed the credit limit, the credits will be prorated among all claimants. If the maximum amount of allowed credits is not claimed in any calendar year, any remaining unclaimed credits may be carried forward and made available in the next succeeding calendar year.

A taxpayer must claim an allowable credit in the taxpayer's tax year (which could be a calendar or fiscal year) in which the **delivery** date falls.

**Invoice Amount** – Must include all invoices for qualifying equipment.

**Amount Paid** – Must include proof of purchase or receipt for qualifying equipment.

**Non-qualifying Cost** – Delivery, training, assembly, installation costs, interest on financing, training, sales tax and other costs incidental to the machinery or equipment purchase are considered the non-qualifying portion of your invoice costs and are not eligible for the credit. Optional warranties are also not eligible for the credit, but taxpayers do not need to subtract the cost of warranties automatically provided as part of the product purchase.

**Qualifying Purchase Cost** –The qualifying purchase cost means the full\* purchase price of the machinery or equipment item itself and any items, such as computer software, that are necessary to the operation of the machinery or equipment item. If the transaction includes a trade-in of other property, the purchase costs means the otherwise eligible cost of the acquired machinery or equipment item less the trade-in value of the other property. To calculate the qualifying purchase costs, subtract non-qualifying costs (described above) from the invoice amounts.

- \* Enter the full qualifying purchase price even if paid in installments that are made in more than one calendar year. For example, if you purchase equipment costing \$100,000 that is delivered in 2020 (that is, you acquire title to the equipment in 2020), enter \$100,000 as the purchase cost on the application filed for the 2020 calendar year, even though the payment schedule calls for payments of \$25,000 in 2019, \$50,000 in 2020, and \$25,000 in 2021. The timing of the payments has no effect on either the purchase date or the purchase cost.

Qualifying purchases also include equipment acquired under a capital lease and only for the taxable year in which the lease is executed. A capital lease is a lease which meets generally accepted accounting principles. The qualifying cost of the equipment acquired under a capital lease is the fair market value of the equipment at the inception of the lease rather than the individual lease payments as they are made over the years. For equipment acquired under a capital lease, also include a copy of the lease agreement.

Improved Job Quality means a 5% increase in average wages or a 5% improvement in workplace safety as documented through participation in Workforce Safety and Insurance safety incentive programs.

Improved output means no less than a 5% increase in output or 5% increase in the number of units produced per automated line per time period.