

Schedule North Dakota Office of State Tax Commissioner
ND-1PG Planned Gift Tax Credit



2016

Attach to Form ND-1

Name(s) shown on return	Your social security number
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▶ If you are only carrying over an unused credit from 2013, 2014, or 2015, skip lines 1 through 7, and go to line 8.

North Dakota qualified nonprofit organization

Name of qualified nonprofit organization			Border state org. <input type="radio"/>	Name of administering entity, if applicable		
Address			<input type="radio"/>	Address		
City	State	ZIP Code		City	State	ZIP Code

Qualified planned gift

- Planned gift was given to: Qualified nonprofit organization
 Qualified endowment fund. Enter name of fund ▶ _____
- Identify the method used to make the planned gift. See the instructions for the eligibility criteria. (Fill in the applicable circle)
 Charitable remainder unitrust Charitable gift annuity Deferred charitable gift annuity
 Charitable remainder annuity trust Charitable lead unitrust Charitable life estate
 Pooled income fund trust Charitable lead annuity trust Paid-up life insurance policy
- Date on which qualified planned gift was completed ----- 3
MM DD YYYY

Calculation of credit

- Charitable contribution portion of planned gifts completed in 2016 tax year ----- 4 _____
- Maximum contribution eligible for credit: If married filing jointly, enter \$50,000; otherwise, enter \$25,000 ----- 5 _____
- Amount of contribution eligible for credit. Enter smaller of line 4 or line 5 ----- 6 _____
- 2016 credit. Multiply line 6 by 40% (.40) ----- 7 _____
- Unused credit carryover, if any, from prior tax year(s) ----- 8 _____
- Total available credit. Add lines 7 and 8 ----- 9 _____
- Amount of line 9 used to reduce tax in 2016. See instructions. Enter this amount on Schedule ND-1TC, line 5 ----- 10 _____
- Unused credit carryover to 2017 ----- 11 _____

Adjustment to North Dakota taxable income

▶ If you are only carrying over an unused credit from 2013, 2014, or 2015, do not complete lines 12 through 16. However, see "Adjustment to taxable income" in instructions.

- If you used Form 1040 and itemized your deductions on Schedule A for 2016, did you deduct the planned gift contribution (entered on line 4 of Schedule ND-1PG) as a charitable contribution on Schedule A?
 No. Stop here; no adjustment is required on your 2016 return based on your 2016 contribution.
 Yes. Enter the amount from Schedule A (Form 1040), line 29 ----- 12 _____
- Enter the **federal standard deduction** that you would have been allowed on your 2016 Form 1040 had you not itemized deductions on Schedule A (Form 1040) - see instructions for amount to enter on this line ----- 13 _____
- Subtract line 13 from line 12. If result is less than zero, enter -0- ----- 14 _____
- Enter the amount from line 6 ----- 15 _____
- Adjustment amount. Enter smaller of line 14 or line 15. Enter this amount on Form ND-1, line 4a --- 16 _____

▶ If you entered an amount on line 4, attach a receipt or statement from the qualified nonprofit organization acknowledging its I.R.C. § 501(c) status, the planned gift method used, the date and amount of the planned gift, and, if applicable, the name of the endowment fund.

General instructions

An individual is allowed an income tax credit for making a qualified planned gift to a qualified nonprofit organization or a qualified endowment fund. *See the instructions to line 2 for what is a qualified planned gift.*

The credit must be claimed first in the tax year in which the planned gift is made. The unused portion of a credit for a planned gift made in the 2016 tax year may be carried forward for up to three tax years.

Adjustment to taxable income—North Dakota taxable income must be increased by the amount of the charitable contribution on which the credit is computed, but only to the extent that the contribution reduced federal taxable income. See the instructions to the 2016 Form ND-1, line 4a.

Qualified nonprofit organization. A qualified nonprofit organization means:

- An organization incorporated or established in North Dakota that:
 - has a physical presence in North Dakota and
 - is a tax-exempt organization under I.R.C. § 501(c) that qualifies as a charitable organization under I.R.C. § 170; or
- An organization incorporated or established in a state bordering North Dakota that:
 - is a tax-exempt organization under I.R.C. § 501(c) that qualifies as a charitable organization under I.R.C. § 170 and
 - supports or benefits a hospital, nursing home, or medical center, or any combination of these, that is located outside North Dakota but within five miles of a North Dakota city with a population of 5,000 or more that does not have a hospital.

Qualified endowment fund. A qualified endowment fund means a permanent, irrevocable fund that meets all of the following:

1. It is held by a qualified nonprofit organization (*defined above*) or by a bank or trust company on behalf of a qualified nonprofit organization.
2. It is comprised of cash, securities, mutual funds, or other investment assets.
3. It is established for a specific religious, educational, or other charitable purpose.
4. It may expend only the income generated by, or the increase in value of, the assets contributed to it.

Specific line instructions

North Dakota qualified nonprofit organization

Enter the name and address of the North Dakota qualified nonprofit organization. This applies regardless of whether the planned gift was made to the qualified nonprofit organization itself or to a qualified endowment fund held by the qualified nonprofit organization. If a bank, trust company, or other entity holds and administers the planned gift assets or qualified endowment fund on behalf of the qualified nonprofit organization, also enter the name and address of that entity.

Border state qualified nonprofit organization. If the qualified nonprofit organization is one that is incorporated or established in a state bordering North Dakota, fill in the circle under “Border state organization” next to the name of the qualified nonprofit organization.

Line 2

Fill in the circle next to the type of qualified planned gift on which the tax credit is based. To qualify for the credit, the qualified planned gift must consist of an irrevocable charitable contribution that was made using one of the following gifting methods:

Charitable remainder unitrust—To qualify, both of the following must apply:

1. The trust must be a trust defined under I.R.C. § 664(d)(2).
2. The trust agreement must contain a provision stating that the trust may not terminate and that the beneficiary’s interest in the trust may not be given to the qualified nonprofit organization or qualified endowment fund before the earlier of (a) the date of death of the beneficiary or (b) the date that is five years after the date of the contribution.

Charitable remainder annuity trust—To qualify, both of the following must be met:

1. The trust must be a trust defined under I.R.C. § 664(d)(1).
2. The trust agreement must contain a provision stating that the trust may not terminate and that the beneficiary’s interest in the trust may not be given to the qualified nonprofit organization or qualified endowment fund before the earlier of (a) the date of death of the beneficiary or (b) the date that is five years after the date of the contribution.

Pooled income fund—To qualify, the trust must be a trust defined under I.R.C. § 642(c)(5).

Charitable gift annuity—To qualify, both of the following must be met:

1. The annuity must be a qualified charitable gift annuity as defined for federal income tax purposes.
2. The annuity contract must contain a provision that states the annuitant’s interest in the gift annuity may not be assigned to the qualified nonprofit organization or qualified endowment fund before the earlier of (a) the date of death of the annuitant or (b) the date that is five years after the date of the contribution.

Charitable lead unitrust—To qualify, the arrangement must satisfy the requirements of I.R.C. § 170(f)(2)(B).

Charitable lead annuity trust—To qualify, the arrangement must satisfy the requirements of I.R.C. § 170(f)(2)(B).

Deferred charitable gift annuity—To qualify, all of the following must be met:

1. The annuity must be a qualified charitable gift annuity as defined for federal income tax purposes.
2. The annuity contract must contain a provision that requires the payment of the annuity to begin within the life expectancy of the annuitant or, if more than one annuitant, the joint life expectancies of the annuitants using the actuarial tables applicable to determining the federal charitable income tax deduction on the date of the contribution.
3. The annuity contract must contain a provision that states the annuitant’s interest in the gift annuity may not be assigned to the qualified nonprofit organization or qualified endowment fund before the earlier of (a) the date of death of the annuitant or (b) the date that is five years after the date of the contribution.

Charitable life estate agreement—To qualify, the agreement must satisfy the requirements of I.R.C. § 170(f)(3)(B).

Paid-up life insurance policy—To qualify, both of the following must be met:

1. The policy must be a paid-up policy, i.e., all premiums for the policy have been paid, with no more premiums due in the future.

2. The gift of the policy qualifies as a charitable contribution under I.R.C. § 170.

Line 4

Enter the portion of all qualified planned gifts completed in 2016 for which a charitable contribution deduction is allowed in 2016 for federal income tax purposes.

Line 8

Enter the allowable portion of an unused planned gift credit, if any, based on gifts made in the 2013 through 2015 tax years. Use the unused credits in the order that is most beneficial.

Line 10

Enter on this line only that portion of the tax credit on line 9 that is used to reduce the 2016 tax liability. For example, if the allowable tax credit on line 9 is \$1,000, but only \$400 is needed to reduce the tax liability to zero, enter \$400 on line 10.

Line 11

Enter the portion of an unused planned gift credit, if any, based on gifts made in the 2014 through 2016 tax years that is being carried over to the 2017 tax year.

Lines 12 through 16

If an amount is entered on line 4, complete lines 12 through 16.

Line 13

To determine the amount of the federal standard deduction to enter on this line, see the instructions to the 2016 Form 1040, line 40.