



**SCHEDULE K-1 (FORM 58)**  
 OFFICE OF STATE TAX COMMISSIONER  
 SFN 28722 (12-2023)

**2023**

Final  Amended

**Partnership's tax year:**

- Calendar year 2023** (Jan. 1 - Dec. 31, 2023)
- Fiscal year:** Beginning \_\_\_\_\_, 2023, Ending \_\_\_\_\_, 20\_\_\_\_\_

**Partner's Share of North Dakota Income (Loss), Deductions, Adjustments, Credits, and Other Items**  
 ▶ See separate instructions

**Part 1 - Partnership information**

**A** Partnership's federal EIN \_\_\_\_\_

**B** Partnership's name, address, city, state, and ZIP code \_\_\_\_\_

**Part 2 - Partner information**

**C** Partner's SSN or FEIN (from Federal Schedule K-1) \_\_\_\_\_

**D** Partner's name, address, city, state, and ZIP code (from Federal Schedule K-1) \_\_\_\_\_

**E** What type of entity is this partner? \_\_\_\_\_

**F** If partner is an individual, estate, or trust, partner is a:  
 **Full-year resident** of North Dakota  **Part-year resident** of North Dakota  
 **Full-year nonresident** of North Dakota

**G** Is this an eligible nonresident partner who elected to be included in a composite filing?  Yes  No

**H** Partner's share of profit and loss: (from Federal Schedule K-1)

	Beginning		Ending	
	Profit	%	Loss	%
Profit	_____	____%	_____	____%
Loss	_____	____%	_____	____%

**I** Partner's ownership percentage: \_\_\_\_\_%

**Part 3 - All partners: ND adjustments and tax credits**

- 1.** Income from non-ND bonds and securities \_\_\_\_\_
- 2.** State and local income taxes deducted \_\_\_\_\_
- 3.** Interest from U.S. obligations \_\_\_\_\_
- 4.** Renaissance zone income exemption \_\_\_\_\_
- 5.** New or expanding business income exemption \_\_\_\_\_
- 6.** Gain from eminent domain sale \_\_\_\_\_
- 7.** Renaissance
  - a.** Historic property preservation credit \_\_\_\_\_
  - b.** Renaissance fund organization credit \_\_\_\_\_
  - c.** Nonparticipating property owner credit \_\_\_\_\_
- 8.** Seed capital investment credit \_\_\_\_\_
- 9.** Agricultural commodity processing facility investment credit \_\_\_\_\_
- 10.** Biodiesel/green diesel fuel blending credit \_\_\_\_\_
- 11.** Biodiesel/green diesel fuel sales equipment credit \_\_\_\_\_

- 12.** Employer internship program credit \_\_\_\_\_
- 13.** Research expense credit \_\_\_\_\_
- 14.** a. Endowment fund credit (Schedule QEC) \_\_\_\_\_  
 b. Contribution amount (Schedule QEC) \_\_\_\_\_  
 c. Endowment fund credit (ND Schedule K-1) \_\_\_\_\_  
 d. Contribution amount (ND Schedule K-1) \_\_\_\_\_
- 15.** Workforce recruitment credit \_\_\_\_\_
- 16.** Wages paid to mobilized employee credit \_\_\_\_\_
- 17.** Nonprofit private primary school credit \_\_\_\_\_
- 18.** Nonprofit private high school credit \_\_\_\_\_
- 19.** Nonprofit private college credit \_\_\_\_\_
- 20.** Angel investor credit (for investments made after June 30, 2017) \_\_\_\_\_
- 21.** Automation credit \_\_\_\_\_
- 22.** Develop. disabled/mentally ill employee credit \_\_\_\_\_
- 23.** Maternity home, child placing agency, or pregnancy help center credit \_\_\_\_\_
- 24.** Apprentice tax credit \_\_\_\_\_

**Part 4 - Nonresident individual, estate, or trust partner: North Dakota income (loss)**

- 25.** Partnership's apportionment factor \_\_\_\_\_
- 26.** Ordinary income (loss) \_\_\_\_\_
- 27.** Net rental real estate income (loss) \_\_\_\_\_
- 28.** Other net rental income (loss) \_\_\_\_\_
- 29.** Total guaranteed payments \_\_\_\_\_
- 30.** Interest income \_\_\_\_\_
- 31.** Ordinary dividends \_\_\_\_\_
- 32.** Royalties \_\_\_\_\_
- 33.** Net short-term capital gain (loss) \_\_\_\_\_
- 34.** Net long-term capital gain \_\_\_\_\_
- 35.** Net section 1231 gain (loss) \_\_\_\_\_
- 36.** Other income \_\_\_\_\_
- 37.** Section 179 deduction \_\_\_\_\_
- 38.** Other deductions \_\_\_\_\_
- 39.** I.R.C. § 179 property disposition gain (loss) \_\_\_\_\_

**Part 5 - Nonresident partner and tax-exempt organization partner**

- 40.** ND distributive share of income (loss) \_\_\_\_\_
- 41.** North Dakota income tax withheld \_\_\_\_\_
- 42.** North Dakota composite income tax \_\_\_\_\_

**Part 6 - Partnership or corporation partner**

	Property	Payroll	Sales
<b>43. ND</b>	_____	_____	_____
<b>44. Total</b>	_____	_____	_____

**Purpose of form**

North Dakota Schedule K-1 (Form 58) is a supplemental schedule provided by a partnership to its partners. It provides information the partners may need to complete their North Dakota income tax returns.

**Resident individual, estate, and trust.**

If you are a North Dakota resident individual, estate, or trust, your entire distributive share of income from the partnership is subject to North Dakota income tax. You received this schedule only to show your distributive share of the partnership's North Dakota statutory adjustments and tax credits (see Part 3).

**Nonresident individual, estate, or trust.**

If you are a nonresident individual, estate, or trust, you are subject to North Dakota income tax on your distributive share of the partnership's income that is apportioned and allocated to North Dakota. You received this schedule to show your distributive share of North Dakota income, gains, losses, and deductions (see Part 4); North Dakota statutory adjustments and tax credits (see Part 3); and North Dakota income tax withheld or paid on your North Dakota distributive share of income (see Part 5).

**Business entity.** If you are a business entity, such as a partnership, corporation, or limited liability company, see the instructions to the applicable North Dakota income tax return for filing and payment requirements. You received this schedule to show your distributive share of the partnership's North Dakota statutory adjustments and tax credits (see Part 3) and your distributive share of the partnership's property, payroll, and sales apportionment factors (see Part 6). If you are a passthrough entity, such as a partnership or S corporation, and your commercial domicile is located outside North Dakota, the schedule will also show your North Dakota distributive share of income and any North Dakota income tax withheld or paid on it (see Part 5).

**Tax-exempt organization.** If you are a tax-exempt organization, you received this schedule to show your North Dakota distributive share of income, which is subject to North Dakota income tax if it is subject to federal income tax (see Part 5). It also shows your distributive share of North Dakota statutory adjustments and tax credits, which may apply if you have income subject to North Dakota income tax (see Part 3).

**General instructions**

The instructions for Parts 3 through 6 of this schedule show where to report the information from Schedule K-1 (Form 58) on your North Dakota income tax return.

**Tax year.** References to a North Dakota form and line number contained in these instructions are references to the form in use for the 2023 calendar year. However, if you file your return on a calendar year basis, but the partnership files its return on a fiscal year basis, report the amounts on your return for the year in which the partnership's fiscal year ends. For example, if the partnership has a fiscal year ending in February 2024, report the amounts from the 2023 Schedule K-1 (Form 58) on your 2024 tax return. The partnership's tax year is shown at the top of the schedule.

**Composite filing election.** If you elected to include your North Dakota distributive share of income in a composite filing by the partnership, the information provided on the schedule is only for your information. Retain the schedule for your tax records. The composite income tax paid by the partnership satisfies your North Dakota income tax filing and payment obligations with respect to your North Dakota distributive share of income from the partnership. If you later choose to revoke your composite filing election and file your own North Dakota income tax return, follow the instructions to Parts 3 through 6 to transfer the amounts from the schedule to your return.

**Amended Schedule K-1 (Form 58).**

If you receive an amended North Dakota Schedule K-1 from the partnership, you generally must file an amended North Dakota income tax return to report the revised information. Attach a copy of the amended Schedule K-1 to your amended North Dakota income tax return. If you previously elected to be included in a composite filing, and you are not changing that election, no action is required and you should retain the amended Schedule K-1 for your tax records.

**Specific instructions**

**Part 3**

**All partners—North Dakota adjustments and tax credits**

The following lists show where to enter an amount from Part 3 of Schedule K-1 (Form 58) on the North Dakota income tax return. Use the list corresponding to your return. "Not applicable" in the right-hand column means that the item does not apply and must not be entered on your return.

**Lines 1-24**

**Form ND-1 filer:**

**Include the amount from this schedule:** **On:**

Lines 1-2	Not applicable
Line 3	Form ND-1, line 6
Line 4	Sch. RZ, Part 1, line 18
Line 5	Form ND-1SA, line 2
Line 6	Not applicable
Line 7a	Sch. RZ, Part 4, line 7
Line 7b	Sch. RZ, Part 5, line 4
Line 7c	Sch. RZ, Part 6, line 6
Line 8	Sch. ND-1TC, line 4
Line 9	Sch. ND-1TC, line 3
Line 10	Sch. ND-1TC, line 6
Line 11	Sch. ND-1TC, line 7
Line 12	Sch. ND-1TC, line 8a
Line 13	Sch. ND-1TC, line 9a
Line 14a	Sch. ND-1TC, line 15b
Line 14b	See instructions to Form ND-1, line 4
Line 14c	Sch. ND-1TC, line 15b
Line 14d	See instructions to Form ND-1, line 4
Line 15	Sch. ND-1TC, line 11a
Line 16	Sch. ND-1TC, line 13
Line 17	Sch. ND-1PSC, line 4
Line 18	Sch. ND-1PSC, line 13
Line 19	Sch. ND-1PSC, line 22
Line 20	Sch. ND-1TC, line 21
Line 21	Sch. ND-1TC, line 17a
Line 22	Sch. ND-1TC, line 22
Line 23	Sch. ND-1TC, line 24
Line 24	Sch. ND-1TC, line 25a

**Form 38 filer:**

**Include the amount from this schedule:** **On:**

Lines 1-2	Not applicable
Line 3	Form 38, page 2, Part 1, line 4a
Line 4	Sch. RZ, Part 1, line 18
Line 5	Form 38, page 2, Part 1, line 4d
Line 6	Not applicable
Line 7a	Sch. RZ, Part 4, line 7
Line 7b	Sch. RZ, Part 5, line 4
Line 7c	Sch. RZ, Part 6, line 6
Line 8	Sch. 38-TC, line 3
Line 9	Sch. 38-TC, line 2
Line 10	Sch. 38-TC, line 4
Line 11	Sch. 38-TC, line 5
Line 12	Sch. 38-TC, line 6a
Line 13	Sch. 38-TC, line 7a
Line 14a	Sch. 38-TC, line 12c
Line 14b	Form 38, page 2, Part 1, line 2
Line 14c	Sch. 38-TC, line 12c
Line 14d	Form 38, page 2, Part 1, line 2
Line 15	Sch. 38-TC, line 9a
Line 16	Sch. 38-TC, line 11
Line 17	Sch. 38-TC, line 15
Line 18	Sch. 38-TC, line 16
Line 19	Sch. 38-TC, line 17
Line 20	Not applicable
Line 21	Sch. 38-TC, line 18
Line 22	Sch. 38-TC, line 19
Line 23	Sch. 38-TC, line 20
Line 24	Sch. 38-TC, line 21

# 2023 Schedule K-1 Instructions for Partner

SFN 28722 (12-2023), Page 3

## Form 40 filer:

### Include the amount from this schedule

#### On:

Line 1	Sch. SA, line 4
Line 2	Sch. SA, line 3
Line 3	Sch. SA, line 10
Line 4	Sch. RZ, Part 1, line 18
Line 5	Form 40, page 1, line 9
Line 6	Sch. SA, line 15
Line 7a	Sch. RZ, Part 4, line 7
Line 7b	Sch. RZ, Part 5, line 4
Line 7c	Sch. RZ, Part 6, line 6
Line 8	Sch. TC, line 11
Line 9	Sch. TC, line 14
Line 10	Sch. TC, line 12
Line 11	Sch. TC, line 13
Line 12	Sch. TC, line 16
Line 13	Sch. TC, line 6
Line 14a	Sch. TC, line 15
Line 14b	Sch. SA, line 5
Line 14c	Sch. TC, line 15
Line 14d	Sch. SA, line 5
Line 15	Sch. TC, line 19
Line 16	Sch. TC, line 20
Line 17	Sch. TC, line 3
Line 18	Sch. TC, line 2
Line 19	Sch. TC, line 1
Line 20	Not applicable
Line 21	Sch. TC, line 23
Line 22	Sch. TC, line 5
Line 23	Sch. TC, line 21
Line 24	Sch. TC, line 24

## Form 60 filer:

### Include the amount from this schedule:

#### On:

Lines 1-2	Not applicable
Line 3	Sch. K, line 1
Line 4	Sch. K, line 2
Line 5	Sch. K, line 3
Line 6	Not applicable
Line 7a	Sch. K, line 4a
Line 7b	Sch. K, line 4b
Line 7c	Sch. K, line 4c
Line 8	Sch. K, line 5
Line 9	Sch. K, line 6
Line 10	Sch. K, line 7
Line 11	Sch. K, line 8
Line 12	Sch. K, line 9a
Line 13	Sch. K, line 10
Line 14a	Sch. K, line 11c
Line 14b	Sch. K, line 11d
Line 14c	Sch. K, line 11c
Line 14d	Sch. K, line 11d
Line 15	Sch. K, line 12a
Line 16	Sch. K, line 13
Line 17	Sch. K, line 14
Line 18	Sch. K, line 15
Line 19	Sch. K, line 16
Line 20	Not applicable
Line 21	Sch. K, line 18
Line 22	Sch. K, line 19
Line 23	Sch. K, line 20
Line 24	Sch. K, line 21

## Form 58 filer:

### Include the amount from this schedule:

#### On:

Lines 1-19	Corresponding lines of Sch. K, lines 1-19
Line 20	Not applicable
Lines 21-22	Corresponding lines of Sch. K, lines 21-22

## Part 4

### Nonresident individual, estate, or trust partners only— North Dakota income (loss)

#### Line 25

The apportionment factor is used to determine the North Dakota apportioned income.

#### Lines 26-39

If you are a nonresident individual, estate, or trust, lines 26 through 39 of Part 4 show your share of the partnership's North Dakota income, gains, losses, and deductions that you must report on your North Dakota income tax return. Transfer these amounts to your North Dakota income tax return as instructed below based on the type of return you are filing.

If the full amount of any item is not included in your adjusted gross income on your federal income tax return because of limitations on the deductibility of a passive activity loss, capital loss, section 179 deduction, or for any other reason, enter on your North Dakota return only that portion of the item included in your federal adjusted gross income.

#### Attach a statement to your North Dakota income tax return explaining any difference between an amount shown on North Dakota Schedule K-1 (Form 58) and the amount reported on your North Dakota income tax return.

#### Form ND-1 filer (nonresident only):

##### Include the amount from this schedule

##### On

##### Schedule ND-1NR, Column B:

Lines 26-29	Line 6
Lines 30-31	Line 2
Line 32	Line 6
Lines 33-35	Line 4
Line 36	Line 8
Lines 37-38	Line 6
Line 39	Line 4

#### Form 38 filer (nonresident only):

##### Include the amount from this schedule

##### On Tax Computation Schedule, Part 2, Column B:

Lines 26-29	Line 5
Line 30	Line 1
Line 31	Line 2
Line 32	Line 5
Lines 33-34	Line 4
Line 35	Line 4 or 7
Line 36	Line 8
Lines 37-38	Line 5
Line 39	Line 4 or 7

## Part 5

### Nonresident partner or tax-exempt organization partner only

#### Line 40

This is the net amount of your North Dakota distributive share of income (loss) from the partnership. Do not enter the amount from this line anywhere on your return. **It is for your information only.**

**Tax-exempt organization only.** If part or all of your distributive share of income from the partnership is taxable under federal income tax law, the North Dakota portion of that taxable income is taxable under North Dakota income tax law. If this applies, you must file a North Dakota income tax return (using Form 40) to report the income and pay any tax due on it.

#### Line 41

This is the amount of North Dakota income tax withheld by the partnership from your North Dakota distributive share of income. Enter this amount on your return as follows:

- If an individual, enter on Form ND-1, line 26.
- If a trust, enter on Form 38, page 1, line 8.
- If a partnership, enter on Form 58, page 1, line 4.
- If an S corporation, enter on Form 60, page 1, line 5.

#### Attach a copy of North Dakota Schedule K-1 (Form 58) to your return.

#### Line 42

If you elected to include your North Dakota distributive share of income (loss) in a composite filing, this is the amount of North Dakota composite income tax paid on your behalf by the partnership. For more information, see "Composite filing election" on page 1 of these instructions.

**Note:** If you later choose to file your own North Dakota income tax return, you may claim this amount as a tax payment on your return. Attach a copy of the North Dakota Schedule K-1 (Form 58) to your return to support the amount claimed.

## Part 6

### Partnership or corporation partner only

If you are a partnership, corporation, or other entity treated like a partnership or corporation, the factor information shown in Part 6, lines 43 and 44, will affect the preparation of your North Dakota income tax return if you are required to complete Schedule FACT (or Schedule CR, Part II, in the case of certain corporations filing Form 40). See the instructions to Schedule FACT of your return for more information on where to include the factor information from this schedule.