



**TAX UNDER 3-YEAR AVERAGING
METHOD FOR ELECTED FARM INCOME**
OFFICE OF STATE TAX COMMISSIONER
SFN 28727 (12-2022)



Schedule ND-1FA
2022
Attach to Form ND-1

Your Name As Shown On Form ND-1	Your Social Security Number
---------------------------------	-----------------------------

▶ **See instructions to this schedule to see if you are eligible to use it**

1. North Dakota taxable income from Form ND-1, line 18 **1** _____
2. Elected farm income from your 2022 Schedule J (Form 1040), line 2a. If this amount includes a net long-term capital gain, see instructions. **Do not enter more than the amount on line 1** ▶ **2** _____
3. Subtract line 2 from line 1 **3** _____
4. Tax on the amount on line 3 from Tax Table in the 2022 Form ND-1 instructions **4** _____
5. If you used Schedule ND-1FA to figure your tax for:
 - 2021, enter amount from your 2021 Schedule ND-1FA, line 11.
 - 2020 but not 2021, enter amount from your 2020 Schedule ND-1FA, line 15.
 - 2019 but not 2020 nor 2021, enter amount from your 2019 Schedule ND-1FA, line 3.
 Otherwise, enter amount from 2019 Form ND-1, line 18, **OR** from 2019 Form ND-EZ, line 1.

5 _____ *If line 5 is zero or less, see instructions.*
6. Divide the amount on **line 2** by **3.0** **6** _____
7. Add lines 5 and 6. *If less than zero, enter zero* **7** _____
8. Figure the tax on the amount on line 7 using the 2019 Form ND-1/ND-EZ Tax Rate Schedules on page 2 of the instructions to this schedule ▶ **8** _____
9. If you used Schedule ND-1FA to figure your tax for:
 - 2021, enter amount from your 2021 Schedule ND-1FA, line 15.
 - 2020 but not 2021, enter amount from your 2020 Schedule ND-1FA, line 3.
 Otherwise, enter amount from 2020 Form ND-1, line 18, **OR** from 2020 Form ND-EZ, line 1.

9 _____ *If line 9 is zero or less, see instructions.*
10. Enter amount from line 6 **10** _____
11. Add lines 9 and 10. *If less than zero, enter negative number* **11** _____
12. Figure the tax on the amount on line 11 using the 2020 Form ND-1/ND-EZ Tax Rate Schedules on page 2 of the instructions to this schedule ▶ **12** _____
13. If you used Schedule ND-1FA to calculate your tax for 2021, enter the amount from your 2021 Schedule ND-1FA, line 3. Otherwise, enter amount from 2021 Form ND-1, line 18, **OR** from 2021 Form ND-EZ, line 1b ▶ **13** _____ *If line 13 is zero or less, see instructions.*
14. Enter amount from line 6 **14** _____
15. Add lines 13 and 14. *If less than zero, enter negative number* **15** _____
16. Figure the tax on the amount on line 15 using the 2021 Form ND-1/ Form ND-EZ Tax Rate Schedules on page 2 of the instructions to this schedule ▶ **16** _____
17. Add lines 4, 8, 12 and 16. Enter this amount on page 2, line 18, of this schedule **17** _____



18. Enter the amount from page 1, line 17 ----- 18 _____

19. If you used Schedule ND-1FA to figure your tax for:

- 2021, enter amount from your 2021 Schedule ND-1FA, line 12.
- 2020 but not 2021, enter amount from your 2020 Schedule ND-1FA, line 16.
- 2019 but not 2020 nor 2021, enter amount from your 2019 Schedule ND-1FA, line 4.

Otherwise, enter amount from 2019 Form ND-1, line 20 (if full-year resident) or Schedule ND-1NR, line 22 (if full-year nonresident or part-year resident) **OR** from 2019 Form ND-EZ, line 2.

----- 19 _____

20. If you used Schedule ND-1FA to figure your tax for:

- 2021, enter amount from your 2021 Schedule ND-1FA, line 16.
- 2020 but not 2021, enter amount from your 2020 Schedule ND-1FA, line 4.

Otherwise, enter amount from 2020 Form ND-1, line 20 (if full-year resident) or Schedule ND-1NR, line 22 (if full-year nonresident or part-year resident) **OR** from 2020 Form ND-EZ, line 2.

----- 20 _____

21. If you used Schedule ND-1FA to figure your tax for 2021, enter amount from 2021 Schedule ND-1FA, line 4. Otherwise, enter amount from 2021 Form ND-1, line 19 (if full-year resident) or Schedule ND-1NR, line 22 (if full-year nonresident or part-year resident) **OR** from 2021 Form ND-EZ, line 2. -----

▶ 21 _____

22. Add lines 19, 20, and 21 ----- 22 _____

23. Subtract line 22 from line 18. Enter result on your return as follows:

- If you (and your spouse, if filing jointly) were full-year residents, enter the amount from this line on your 2022 Form ND-1, line 19.
- If you are required to use Schedule ND-1NR, enter the amount from this line on your 2022 Schedule ND-1NR, line 22.

----- (F1) 23 _____

▶ **Caution:** If you (and your spouse, if filing jointly) are full-year residents, the tax on line 23 above may be higher than the tax calculated without the use of this schedule.

If you are required to use Schedule ND-1NR, the tax on line 23 above is not your actual tax liability. You must enter the tax from line 23 of this schedule on your 2022 Schedule ND-1NR, line 22, and complete the remainder of Schedule ND-1NR to calculate your actual tax liability. Please note that the tax calculated based on the use of Schedule ND-1FA may be higher than the tax calculated without it.

▶ **Attach this schedule to your Form ND-1 only if you are choosing to pay the tax based on its use.**

General instructions

Eligibility

You are eligible to use the 2022 Schedule ND-1FA to calculate your tax for 2022 if you used Schedule J (Form 1040) to calculate your 2022 federal income tax.

The use of Schedule ND-1FA is elective. You do not have to use it even though you used Schedule J (Form 1040) to calculate your federal income tax for 2022.

IMPORTANT: It is possible for the tax calculated using Schedule ND-1FA to be higher than the tax calculated on all of your income using the regular method (without Schedule ND-1FA). Complete and attach Schedule ND-1FA to your Form ND-1 **only if** you are electing to pay the tax that results from using Schedule ND-1FA.

Copies of base period returns

You will need copies of your 2019, 2020, and 2021 North Dakota income tax returns to complete the 2022 Schedule ND-1FA. If you do not have a copy of any of these returns, see the back cover of the 2022 Form ND-1 instruction booklet for information on how to obtain one.

If you filed an amended North Dakota income tax return, or if the Office of State Tax Commissioner made changes to your North Dakota income tax return for 2019, 2020, or 2021, you must use the corrected amounts when completing Schedule ND-1FA.

Specific line instructions

Line 2

Enter your elected farm income from the 2022 Schedule J (Form 1040), line 2a. However, if you claimed an exclusion on line 7 of your 2022 Form ND-1 attributable to a net long-term capital gain included in your federal elected farm income, subtract that portion of the exclusion from your federal elected farm income and enter the result on this line.

Lines 5, 9, and 13

For purposes of completing lines 5, 9, and 13 of the 2022 Schedule ND-1FA, your North Dakota taxable income may be a negative number. If your North Dakota taxable income for a base year is mathematically less than zero, use the negative number for purposes of completing these lines.

No filing requirement for base year.

If you were not required to file a North Dakota income tax return for one or more of the base years, you must complete the applicable North Dakota return for each base year for which a return was not filed. Complete the return through the line on which the tax is calculated. Use the figures from the return completed for the base year to complete the applicable lines of the 2022 Schedule ND-1FA.

2019 Form ND-1/ND-EZ Tax Rate Schedules

If you used Form ND-1 or Form ND-EZ for the 2019 tax year, use these tax rate schedules to calculate the tax to enter on line 8. Use the schedule that corresponds to your filing status for the 2019 tax year.

Single
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 39,450	1.10% of the revised taxable income	
39,450	95,500	433.95 + 2.04% of amount over	\$ 39,450
95,500	199,250	1,577.37 + 2.27% of amount over	95,500
199,250	433,200	3,932.50 + 2.64% of amount over	199,250
433,200		10,108.78 + 2.90% of amount over	433,200

Married filing jointly and Qualifying widow(er)
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 65,900	1.10% of the revised taxable income	
65,900	159,200	724.90 + 2.04% of amount over	\$ 65,900
159,200	242,550	2,628.22 + 2.27% of amount over	159,200
242,550	433,200	4,520.27 + 2.64% of amount over	242,550
433,200		9,553.43 + 2.90% of amount over	433,200

Married filing separately
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 32,950	1.10% of the revised taxable income	
32,950	79,600	362.45 + 2.04% of amount over	\$ 32,950
79,600	121,275	1,314.11 + 2.27% of amount over	79,600
121,275	216,600	2,260.13 + 2.64% of amount over	121,275
216,600		4,776.71 + 2.90% of amount over	216,600

Head of Household
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 52,850	1.10% of the revised taxable income	
52,850	136,450	581.35 + 2.04% of amount over	\$ 52,850
136,450	220,900	2,286.79 + 2.27% of amount over	136,450
220,900	433,200	4,203.81 + 2.64% of amount over	220,900
433,200		9,808.53 + 2.90% of amount over	433,200

2020 Form ND-1/ND-EZ Tax Rate Schedules

If you used Form ND-1 or Form ND-EZ for the 2020 tax year, use these tax rate schedules to calculate the tax to enter on line 12. Use the schedule that corresponds to your filing status for the 2020 tax year.

Single
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 40,125	1.10% of the revised taxable income	
40,125	97,150	441.38 + 2.04% of amount over	\$ 40,125
97,150	202,650	1,604.69 + 2.27% of amount over	97,150
202,650	440,600	3,999.54 + 2.64% of amount over	202,650
440,600		10,281.42 + 2.90% of amount over	440,600

Married filing jointly and Qualifying widow(er)
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 67,050	1.10% of the revised taxable income	
67,050	161,950	737.55 + 2.04% of amount over	\$ 67,050
161,950	246,700	2,673.51 + 2.27% of amount over	161,950
246,700	440,600	4,597.34 + 2.64% of amount over	246,700
440,600		9,716.30 + 2.90% of amount over	440,600

Married filing separately
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 33,525	1.10% of the revised taxable income	
33,525	80,975	368.78 + 2.04% of amount over	\$ 33,525
80,975	123,350	1,336.76 + 2.27% of amount over	80,975
123,350	220,300	2,298.67 + 2.64% of amount over	123,350
220,300		4,858.15 + 2.90% of amount over	220,300

Head of Household
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 53,750	1.10% of the revised taxable income	
53,750	138,800	591.25 + 2.04% of amount over	\$ 53,750
138,800	224,700	2,326.27 + 2.27% of amount over	138,800
224,700	440,600	4,276.20 + 2.64% of amount over	224,700
440,600		9,975.96 + 2.90% of amount over	440,600

2021 Form ND-1/ND-EZ Tax Rate Schedules

If you used Form ND-1 or Form ND-EZ for the 2021 tax year, use these tax rate schedules to calculate the tax to enter on line 16. Use the schedule that corresponds to your filing status for the 2021 tax year.

Single
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 40,525	1.10% of the revised taxable income	
40,525	98,100	445.78 + 2.04% of amount over	\$ 40,525
98,100	204,675	1,620.31 + 2.27% of amount over	98,100
204,675	445,000	4,039.56 + 2.64% of amount over	204,675
445,000		10,384.14 + 2.90% of amount over	445,000

Married filing jointly and Qualifying widow(er)
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 67,700	1.10% of the revised taxable income	
67,700	163,550	744.70 + 2.04% of amount over	\$ 67,700
163,550	249,150	2,700.04 + 2.27% of amount over	163,550
249,150	445,000	4,643.16 + 2.64% of amount over	249,150
445,000		9,813.60 + 2.90% of amount over	445,000

Married filing separately
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 33,850	1.10% of the revised taxable income	
33,850	81,775	372.35 + 2.04% of amount over	\$ 33,850
81,775	124,575	1,350.02 + 2.27% of amount over	81,775
124,575	222,500	2,321.58 + 2.64% of amount over	124,575
222,500		4,906.80 + 2.90% of amount over	222,500

Head of Household
If revised taxable income for tax year is: The revised tax is equal to:
Over But not over

\$ 0	\$ 54,300	1.10% of the revised taxable income	
54,300	140,200	597.30 + 2.04% of amount over	\$ 54,300
140,200	226,950	2,349.66 + 2.27% of amount over	140,200
226,950	445,000	4,318.89 + 2.64% of amount over	226,950
445,000		10,075.41 + 2.90% of amount over	445,000