



**TAX UNDER 3-YEAR AVERAGING
METHOD FOR ELECTED FARM INCOME**
OFFICE OF STATE TAX COMMISSIONER
SFN 28727 (12-2023)



**Schedule ND-1FA
2023**

Attach to Form ND-1

Your Name As Shown On Form ND-1	Your Social Security Number
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▶ **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 2023 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 2023 Form ND-1 instructions	4	_____
5. If you used Schedule ND-1FA to figure your tax for:		
<ul style="list-style-type: none"> ● 2022, enter amount from your 2022 Schedule ND-1FA, line 11. ● 2021 but not 2022, enter amount from your 2021 Schedule ND-1FA, line 15. ● 2020 but not 2021 nor 2022, enter amount from your 2020 Schedule ND-1FA, line 3. 	▶ 5	_____
Otherwise, enter amount from 2020 Form ND-1, line 18, OR from 2020 Form ND-EZ, line 1.		<i>If line 5 is zero or less, see instructions.</i>
6. Divide the amount on line 2 by 3.0	6	_____
7. Add lines 5 and 6. <i>If less than zero, enter zero</i>	7	_____
8. Figure the tax on the amount on line 7 using the 2020 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:		
<ul style="list-style-type: none"> ● 2022, enter amount from your 2022 Schedule ND-1FA, line 15. ● 2021 but not 2022, enter amount from your 2021 Schedule ND-1FA, line 3. 	▶ 9	_____
Otherwise, enter amount from 2021 Form ND-1, line 18, OR from 2021 Form ND-EZ, line 1.		<i>If line 9 is zero or less, see instructions.</i>
10. Enter amount from line 6	10	_____
11. Add lines 9 and 10. <i>If less than zero, enter negative number</i>	11	_____
12. Figure the tax on the amount on line 11 using the 2021 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 2022, enter the amount from your 2022 Schedule ND-1FA, line 3. Otherwise, enter amount from 2022 Form ND-1, line 18, OR from 2022 Form ND-EZ, line 1b	▶ 13	_____
		<i>If line 13 is zero or less, see instructions.</i>
14. Enter amount from line 6	14	_____
15. Add lines 13 and 14. <i>If less than zero, enter negative number</i>	15	_____
16. Figure the tax on the amount on line 15 using the 2022 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:

- 2022, enter amount from your 2022 Schedule ND-1FA, line 12.
- 2021 but not 2022, enter amount from your 2021 Schedule ND-1FA, line 16.
- 2020 but not 2021 nor 2022, 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.

----- 19 _____

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

- 2022, enter amount from your 2022 Schedule ND-1FA, line 16.
- 2021 but not 2022, enter amount from your 2021 Schedule ND-1FA, line 4.

Otherwise, enter amount from 2021 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 2021 Form ND-EZ, line 2.

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21. If you used Schedule ND-1FA to figure your tax for 2022, enter amount from 2022 Schedule ND-1FA, line 4. Otherwise, enter amount from 2022 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 2022 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 2023 Form ND-1, line 19.
- If you are required to use Schedule ND-1NR, enter the amount from this line on your 2023 Schedule ND-1NR, line 22.

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▶ **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 2023 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 2023 Schedule ND-1FA to calculate your tax for 2023 if you used Schedule J (Form 1040) to calculate your 2023 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 2023.

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 2020, 2021, and 2022 North Dakota income tax returns to complete the 2023 Schedule ND-1FA. If you do not have a copy of any of these returns, see the back cover of the 2023 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 2020, 2021, or 2022, you must use the corrected amounts when completing Schedule ND-1FA.

Specific line instructions

Line 2

Enter your elected farm income from the 2023 Schedule J (Form 1040), line 2a. However, if you claimed an exclusion on line 6 of your 2023 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 2023 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 2023 Schedule ND-1FA.

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 8. 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 12. 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

2022 Form ND-1/ND-EZ Tax Rate Schedules

If you used Form ND-1 or Form ND-EZ for the 2022 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 2022 tax year.

Single

If revised taxable income for tax year is:		The revised tax is equal to:	
Over	But not over		
\$ 0	\$ 41,775	1.10% of the revised taxable income	
41,775	101,050	\$ 459.53 + 2.04% of amount over	\$ 41,775
101,050	210,825	\$ 1,668.74 + 2.27% of amount over	101,050
210,825	458,350	\$ 4,160.63 + 2.64% of amount over	210,825
458,350		\$ 10,695.29 + 2.90% of amount over	458,350

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	\$ 69,700	1.10% of the revised taxable income	
69,700	168,450	\$ 766.70 + 2.04% of amount over	\$ 69,700
168,450	256,650	\$ 2,781.20 + 2.27% of amount over	168,450
256,650	458,350	\$ 4,783.34 + 2.64% of amount over	256,650
458,350		\$ 10,108.22 + 2.90% of amount over	458,350

Married filing separately

If revised taxable income for tax year is:		The revised tax is equal to:	
Over	But not over		
\$ 0	\$ 34,850	1.10% of the revised taxable income	
34,850	84,225	\$ 383.35 + 2.04% of amount over	\$ 34,850
84,225	128,325	\$ 1,390.60 + 2.27% of amount over	84,225
128,325	229,175	\$ 2,391.67 + 2.64% of amount over	128,325
229,175		\$ 5,054.11 + 2.90% of amount over	229,175

Head of Household

If revised taxable income for tax year is:		The revised tax is equal to:	
Over	But not over		
\$ 0	\$ 55,900	1.10% of the revised taxable income	
55,900	144,400	\$ 614.90 + 2.04% of amount over	\$ 55,900
144,400	233,750	\$ 2,420.30 + 2.27% of amount over	144,400
233,750	458,350	\$ 4,448.55 + 2.64% of amount over	233,750
458,350		\$ 10,377.99 + 2.90% of amount over	458,350