



**APPLICATION FOR CERTIFICATION AS A
QUALIFIED BUSINESS FOR THE AGRICULTURAL
BUSINESS INVESTMENT TAX CREDIT**
NORTH DAKOTA DEPARTMENT OF COMMERCE
SFN 58663 (3-2019)

ND Department of Commerce Economic Development & Finance Division Use Only <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Original <input type="checkbox"/> Recertified

Taxpayer Information

Company Name			
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 incorporated or organized in this state after December 31, 2000? (refer to qualifications) <input type="checkbox"/> Yes <input type="checkbox"/> No	OFFICE USE ONLY
2. Type of business: <input type="checkbox"/> Cooperative <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company	
3. Has this business been certified by the securities commissioner to be in compliance under the securities laws of this state? <input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Does this business have or intend to locate an agricultural commodity processing facility in this state? (refer to qualifications.) <input type="checkbox"/> Yes <input type="checkbox"/> No	
5a. If this business is a livestock feeding, handling, milking, or holding operation, do you feed a product produced at a biofuels production facility? <input type="checkbox"/> Yes <input type="checkbox"/> No 5b. If yes, explain how the byproduct fed falls within the "biofuels production facility" definition and provide the name of the byproduct source facility.	
6. Describe the primary purpose of this business:	

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

Applicant (Please print)	Title
Signature	Date

Consistent with North Dakota law, information contained in the shaded areas will be kept confidential within the North Dakota Department of Commerce.

Qualifications

In order to be certified as a qualified business, the business must meet the following requirements:

- The business must be a cooperative, corporation, partnership, or limited liability company;
- Is incorporated or organized in this state after December 31, 2000 for the primary purpose of processing and marketing agricultural commodities capable of being raised in this state;
- The business must be in compliance with the requirements for filings with the securities commissioner under the securities laws of North Dakota. This often involves making a notice filing. If you have any questions regarding compliance, please contact the ND Securities Department at 1-800-297-5124;
- The business has an “agricultural commodity processing facility”, or intends to locate one, in this state;
 - “Agricultural commodity processing facility” is:
 - A facility that through processing involving the employment of knowledge and labor adds value to an agricultural commodity capable of being raised in this state, or
 - A livestock feeding, handling, milking, or holding operation that uses as part of its operation a byproduct produced at a “biofuels production facility”.
 - “Biofuels production facility” is:
 - A corporation, limited liability company, partnership, individual, or association in this state involved in production of diesel fuel containing at least five percent biodiesel meeting the specifications adopted by the American Society for Testing and Materials;
 - Involved in the production of corn-based ethanol or cellulose-based ethanol; or
 - Involved in soybean or canola crushing facility.
- The business is among the first ten businesses certified in this calendar year. Certification may not be more than four years from the certification effective date. This does not apply to those seeking recertification during the calendar year. Only one recertification is available to a qualified business. Recertification applications must be filed within ninety days before the original certification expiration date.

Instructions for qualified business

Use this form only for certification by the North Dakota Department of Commerce Division of Economic Development and Finance as a qualified business eligible to claim the Agricultural Business Investment Tax Credit under N.D.C.C. §57-38.6.

Submit a completed application to:

North Dakota Department of Commerce
Economic Development & Finance Division
PO Box 2057
Bismarck, ND 58502-2057

If you have any questions...

Call:

701-328-5300

Write to:

North Dakota Department of Commerce
Economic Development & Finance Division
PO Box 2057
Bismarck, ND 58502-2057

For more information on the North Dakota Agricultural Business Investment Tax Credit, please visit: www.legis.nd.gov/cencode/t57c38-6.pdf and www.nd.gov/tax/genpubs/business-incentives.pdf.