Completing North Dakota Income Tax Forms  
“Students not from India with treaty benefits”

Before completing your North Dakota income tax return, you must have your federal income tax return completed (Form 1040NR-EZ).

**STEP 1 – Modifying the Federal Return**
Make a copy of your completed Federal Income Tax Return, Form 1040NR-EZ. On this copy, do the following:

1. At the top of the copy of Form 1040NR-EZ, write the words “North Dakota Copy”.
2. On the “North Dakota Copy”, cross out the amount on Line 3, and enter the total wages from Form W2, Box 16 of all of your employers.
3. On the “North Dakota Copy”, cross out the amount on Line 6.
4. On the “North Dakota Copy”, recompute Line 7 by adding Lines 3, 4, and 5.
5. On the “North Dakota Copy”, recompute Line 10 by subtracting Lines 8 and 9 from the new amount in Line 7.

You are now ready to prepare your North Dakota Income Tax return, Form ND-1 and Schedule ND-1NR (if applicable) using the “North Dakota Copy” of the Form 1040NR-EZ.

**STEP 2 – North Dakota Form ND-1, Page 1**
1. Fill out all the demographic information at the top of Form ND-1. This information should match what you entered on Form 1040NR-EZ.
   a. For Item A:
      i. If on the 1040NR-EZ you selected “Single Nonresident Alien”, fill in the “Single” circle;
      ii. If on the 1040NR-EZ you selected “Married Nonresident Alien”, fill in the “Married filing separately” circle.
   b. For Item B, enter “54-000”.
   c. For Item C, enter “5”.
2. On Line D, enter the amount from the “North Dakota Copy”, Line 10.
3. On Line 1, enter the amount from the “North Dakota Copy”, Line 14.
4. If you think Lines 2 through 17 apply to your situation, read the instructions for these lines (found in the instruction booklet) for more information. If they apply, follow the instructions to complete the appropriate lines. Please note: It is highly unlikely that you will enter anything on these lines.
5. If nothing is entered on Lines 2 through 17, enter the amount on Line 1 on Lines 6 and 18.
6. Enter the amount on Line 18 on Line 19 (second page).

For Form ND-1, Line 20, if all of your income was earned in North Dakota, go to **Part A** below. If only some of your income was earned in North Dakota, go to **Part B** below.
Part A: If all of your income was earned in North Dakota, using the tax tables starting on page 20 in the NORTH DAKOTA BOOKLET, find the tax for the amount of income that is on Form ND-1, Line 19 for your filing status (single or married filing separately) and enter that tax on Form ND-1, Line 20. Now go to the instructions for STEP 4 – North Dakota Form ND-1, Page 2 below.

Part B: If only part of your income was earned in North Dakota and some was earned in other states, go to the instructions for STEP 3 – North Dakota Schedule ND-1NR below.

STEP 3 – North Dakota Schedule ND-1NR
The purpose of Schedule ND-1NR is to determine what percentage of your total income is from North Dakota. For example, if half of your income is from North Dakota, your North Dakota income ratio would be 50%. To compute this, all of your income is entered in Column A (from all sources), and the portion of your income that is from North Dakota is entered in Column B. After that is done, you will total each Column, and divide them to come up with a North Dakota income ratio.

1. Fill out the demographic information at the top of the Schedule ND-1NR according to the instructions.
2. For Schedule ND-1NR, Lines 1 through 14, disregard the reference to the Federal Form Line Numbers, as these do not correspond to the “North Dakota Copy” of the 1040NR-EZ. Instead, use the following:
   a. From the “North Dakota Copy”, enter the amount from Line 3 on Schedule ND-1NR, Line 1
   b. From the “North Dakota Copy”, enter the amount from Line 4 on Schedule ND-1NR, Line 2
   c. From the “North Dakota Copy”, enter the amount from Line 5 on Schedule ND-1NR, Line 8
   d. From the “North Dakota Copy”, enter the amount from Line 8 on Schedule ND-1NR, Line 14
   e. From the “North Dakota Copy”, enter the amount from Line 9 on Schedule ND-1NR, Line 10
3. Follow the instructions on Schedule ND-1NR to complete Lines 16 and 17.
4. On the Schedule ND-1NR, divide Line 16 by Line 17, round to the nearest 4 decimal places, and enter that amount on Line 18.
   a. Please note that the amount on Schedule ND-1NR, Line 18 should be 1.0000 or less. If the amount is greater than 1.0000, something was entered incorrectly on Schedule ND-1NR.
5. On Schedule ND-1NR, Line 19, enter the amount from Form ND-1, page 2, Line 19.
6. Using the tax tables starting on page 20 in the NORTH DAKOTA BOOKLET, find the amount of tax for the amount on ND-1NR, Line 19 that corresponds to your filing status (single or married filing separately). Enter that amount on Schedule ND-1NR, Line 20.
7. Multiply the amount on Schedule ND-1NR, Line 20 by the income ratio on Line 18 and enter that amount in Line 21.
8. Enter the amount from Schedule ND-1NR, Line 21 on Form ND-1, page 2, Line 20.

You have now completed the Schedule ND-1NR, and now need to complete the rest of Form ND-1. Follow the instructions for STEP 4 – North Dakota Form ND-1, Page 2 below.

STEP 4 – North Dakota Form ND-1, Page 2
1. Enter the amount on Form ND-1, Line 20 on Line 27.
2. Enter the total of your North Dakota withholding from Form W2, Box 17 from all your employers in North Dakota on Form ND-1, Lines 28 and 30.
3. If Line 30 is more than Line 27, subtract Line 27 from Line 30, and enter the answer on Lines 31 and 34.
• This will be the refund you will receive from the North Dakota Tax Department.

4. If Line 30 is less than Line 27, subtract Line 30 from Line 27, and enter the answer on Lines 35 and 38.
   • This is the amount of tax that you still owe to the North Dakota Tax Department. Please include a check payable to the “North Dakota Tax Department” for the amount owed when you file the North Dakota Income Tax Return.

5. Sign and date at the bottom of Form ND-1.

Congratulations! You have now completed the North Dakota Income Tax Return. Please mail the following Forms to our office at: 600 East Boulevard Avenue, Dept. 127, Bismarck, ND 58505-0599:

• Form ND-1
• Schedule ND-1NR (if it was completed)
• Form 1040NR-EZ (North Dakota Copy)
• A copy of your W2 from every employer

Please make a copy of everything that is sent to our office for your records.