

**Computation of 2013 Credit for Prior Year Minimum Tax to
Determine Nebraska Minimum Tax Credit
for the 2013 Nebraska Return**

Issue

How should the credit for prior year minimum tax computed for a taxpayer's [2013 U.S. Individual Income Tax Return, Federal Form 1040](#), be recalculated to compute the Nebraska tax credit?

Conclusion

The federal credit for prior year minimum tax must be recomputed using the adjustments required by [Neb. Rev. Stat. § 77-2715\(2\)](#). This allows for the computation of items which are reflected differently in the determination of federal taxable income for Nebraska purposes. This applies to any federal schedules or other forms, the results of which are used in calculating the federal alternative minimum tax.

Analysis

The specific line entries and the required adjustments in recomputing the credit for prior year minimum tax for the 2013 Nebraska Individual Income Tax Return, Form 1040N, are provided below. **Recalculate all total or computational lines to reflect adjustments made pursuant to this ruling.**

If you have a 2013 tax year alternative minimum tax liability, a credit for prior year alternative minimum tax is not allowed.

Use the amounts from the [2012 Federal Form 6251](#) (Alternative Minimum Tax - Individuals) recomputed pursuant to [Revenue Ruling 22-12-1](#) on all lines referencing the 2012 Federal Form 6251.

[2013 Federal Form 8801](#) (Credit for Prior Year Minimum Tax - Individuals, Estates, and Trusts):

Part I —

- **Line 3.** Enter the minimum tax credit net operating loss deduction as adjusted for Nebraska purposes.
- **Line 11.** If Part III of Form 8801 was used to make the line 11 entry, exclude any capital gains in the calculation that were entered on line 59 of Schedule I of the 2013 Nebraska Form 1040N.
- **Line 12.** Enter -0-.

Follow federal instructions to recompute the net minimum tax on exclusion items through line 15 of the 2013 Federal Form 8801.

Part II —

- **Line 19.** Enter the line 28 amount from the 2012 Federal Form 8801 recomputed pursuant to [Revenue Ruling 22-12-2](#).
- **Line 20.** Enter -0-.
- **Line 22.** Enter the recomputed 2013 regular federal income tax before credits, which was entered on line 34 of the recomputed Federal Form 6251.
- **Line 23.** Enter the line 33 amount of the 2013 Federal Form 6251 recomputed pursuant to [Revenue Ruling 22-13-2](#).

Multiply the amount on line 25 of the recomputed 2013 Federal Form 8801 by 29.6% (.2960). Enter this result on the Nebraska Individual Income Tax Return, Form 1040N, as follows:

- (a) Full-year residents must enter the result on line 20b.
- (b) Partial-year residents and nonresidents must write in the phrase “AMT Credit” on line 82d, Nebraska Schedule III, and include the result on line 82e, Nebraska Schedule III.

The Nebraska Minimum Tax Credit is a nonrefundable credit.

The recomputed Federal Form 8801 must be attached to the 2013 Nebraska Individual Income Tax Return, Form 1040N, when filed.

The Nebraska Minimum Tax Credit is eliminated by enactment of LB 308 (2013) beginning for tax year 2014.

APPROVED:



Kim Conroy
Tax Commissioner

February 6, 2014