



**NEBRASKA INCENTIVES CREDIT COMPUTATION
for Tax Years after 2005**

**FORM
3800N**

• Attach this form to the original or amended return.
beginning _____, _____ and ending _____, _____

Name as Shown on Return	Social Security No. or Nebraska I.D. No.	Type of Return
Location Address(es) Where Expansion Occurred	County Where Expansion Occurred	(1) <input type="checkbox"/> 1040N (4) <input type="checkbox"/> 1120-SN (2) <input type="checkbox"/> 1120N (5) <input type="checkbox"/> 1041N (3) <input type="checkbox"/> 1065N (6) <input type="checkbox"/> 1120NF

1 Total Employment Expansion and Investment Incentive Act (LB 270) distributed credit received (line 26 below)	1	
2 Total LB 270 credits carried forward (List years credits earned: _____)	2	
3 Amount of Nebraska sales and use tax refunds for LB 270 claimed to date	3	
4 Total available LB 270 credit amounts (total of lines 1, and 2; minus line 3)	4	\$
5 Nebraska income tax liability	5	
6 Total nonrefundable credits (other than Form 3800N)	6	\$
7 Nebraska income tax liability after other nonrefundable credits (line 5 minus line 6)	7	
8 50 percent of line 7 (multiply line 7 by 0.50)	8	
9 LB 270 credit used to reduce income tax liability (do not exceed the lesser of line 4 or line 8)	9	
10 Amount of LB 270 credits distributed to partners, shareholders, and beneficiaries on line 25 below	10	
11 Unused LB 270 credits no longer available (see instructions)	11	
12 Total LB 270 credit to be carried forward (line 4 minus lines 9, 10, and 11)	12	\$
13 Form 775N credit (from Form 775N and line 31, on reverse side)	13	
14 Enterprise zone credits	14	
15 Total Renewable Energy Tax Credit (attach worksheet)	15	
16 Total Nebraska Advantage Act credit. Attach a worksheet and qualification letter	16	
17 Total Nebraska Advantage Rural Development Act (LB 608) distributed credit received	17	
18 Total Research and Development distributed credit received	18	
19 Biodiesel Facility Credit. Attach worksheet	19	
20 TOTAL Form 3800N nonrefundable credit (total of lines 9 and 13 through 19). Enter here and on Form 1040N, 1120N, or 1041N as appropriate. NOTE – Total of lines 9 and 13 through 19 cannot exceed line 7	20	
21 Total LB 608 credit. Attach a worksheet and qualification letter	21	
22 Total Nebraska Advantage Microenterprise Credit. Attach approved application with Part 3 completed	22	
23 Total Research and Development Credit (attach Research and Development Credit Worksheet)	23	
24 TOTAL Form 3800N refundable credit (Total of lines 21, 22, 23). Enter here and on Form 1040N, 1120N, or 1041N as appropriate	24	\$

Employment Expansion and Investment Incentive Act (LB 270) Credit Distribution Only

Distribution of Credits by Partnerships, S Corporations, Limited Liability Companies, and Certain Fiduciaries Only

25 Distribution of Employment Expansion and Investment Incentive Act credit among partners, shareholders, members, and beneficiaries. Enter in the space provided the partner's, shareholder's, member's, or beneficiary's name, social security number or federal identification number, share of income or ownership, and appropriate share of the credit.

Name of Partners, Shareholders, Members or Beneficiaries	Social Security No. or Federal I.D. No.	Share of Income or Ownership	Year Credit Earned	Share of Credit
				\$
TOTAL of credits distributed (enter here and include on line 10)		100%		\$

Employment Expansion and Investment Incentive Act (LB 270) Credits Received

Distributed Credits Received by Partners, S Corporation Shareholders, Limited Liability Company Members, and Certain Fiduciary Beneficiaries Only

26 If any of the credit is from a partnership, S corporation, limited liability company, exempt cooperative, or fiduciary that distributes its income currently, enter in the space provided the name, address, Nebraska identification number, the year the credit was earned, and your share of the credit of each partnership, S corporation, limited liability company, or fiduciary.

Name	Address	Nebraska I.D. Number	Year Credit Earned	Share of Credit
				\$
TOTAL of credits received (enter here and include on line 1)				

LB 775 Credits Received Through Distribution

Distributed Credits Received by Partners, S Corporation Shareholders, Limited Liability Company Members, and Certain Fiduciary Beneficiaries Only

27 If any of the credit is from a partnership, S corporation, limited liability company, exempt cooperative, or fiduciary that distributes its income currently, enter in the space provided the name, address, Nebraska identification number, the year the credit was earned, and your share of the credit of each partnership, S corporation, limited liability company, or fiduciary.

Name	Address	Nebraska I.D. Number	Year Credit Earned	Share of Credit
				\$
TOTAL of your share of distributed credits.....			27	
28 Total distributed credits carried forward from earlier year(s).....			28	
29 Total amount of distributed credits available for use (line 27 plus line 28).....			29	
30 Nebraska income tax liability after all other non-refundable credits.....			30	
31 Credits used to reduce income tax liability. Enter here and on line 13			31	
32 Total credits to be carried forward (line 29 minus line 31)			32	\$

INSTRUCTIONS

SPECIAL INSTRUCTIONS FOR TAXPAYERS CLAIMING CREDIT UNDER EMPLOYMENT AND INVESTMENT GROWTH ACT (LB 775)

If the business is using the Employment and Investment Growth Act credit to reduce its income tax liability, complete lines 27 through 32. Enter the amount of credit being used from Form 775N, and from line 30, Form 3800N on line 13. The other lines on Form 3800N do not have to be completed. If you are claiming credits from both the Employment and Investment Growth Act **and** other incentive programs contact Tax Incentives Group of the Nebraska Department of Revenue for instructions before completing Form 3800N.

WHO MUST FILE. Every taxpayer must complete the Nebraska Incentives Credit Computation, Form 3800N, in order to use the credits allowed by the Employment Expansion and Investment Incentive Act (LB 270); the Employment and Investment Growth Act (LB 775); the Nebraska Advantage Rural Development Act (LB 608); the Nebraska Advantage Microenterprise Tax Credit Act; the Nebraska Advantage Research and Development Act; and to claim the Renewable Energy Tax Credit. The prior version of this form must be used to claim or amend LB 270 credits for tax year 2003 or earlier. New LB 270 credits may not be earned for tax year 2004 or after.

WHEN AND WHERE TO FILE. This computation must be completed and attached to the income tax return filed by an individual, corporation, fiduciary, partnership, limited liability company, or S corporation for which a credit is claimed.

Partners, shareholders, members, or beneficiaries who are allowed any distributive credits from a partnership, S corporation, limited liability company, or fiduciary should complete lines 1 through 24 and the line 27 credit received information. A copy of the Form 3800N filed by the partnership, S corporation, limited liability company, or fiduciary must be attached to the taxpayer's Form 3800N. These credits may only be used to reduce the taxpayer's income tax liability.

RECORDS. All claimants must retain records for at least three years after the filing of the return claiming the credit. If

the taxpayer will be utilizing the carryforward period to claim the credit calculated, the records supporting the original credit must be kept for a period of at least three years after the return is filed in which the credit carryforward is used.

FAILURE TO MAINTAIN LB 270 INVESTMENT AND EMPLOYMENT LEVELS. A taxpayer is required to maintain the levels of employment and investment that created the credit for at least two years after the year in which the credit was allowed. If a taxpayer fails to maintain the required levels of employment and investment, the taxpayer will be subject to certain recapture provisions. Contact the Department's Audit Services area, (402) 471-5790, for further information.

SPECIFIC INSTRUCTIONS

LOCATION ADDRESS. List the business location in Nebraska where the investment and expanded employment occurred. This should include street address and city. Do not include the company's headquarters address unless this is either where the expansion occurred in Nebraska, or the expansion was at multiple locations.

LINE 3. Enter the amount of Nebraska LB 270 sales and use tax refunds claimed to date. This should include any amounts claimed, even if the taxpayer has not yet received the refund.

LINE 11. Enter the total of any LB 270 credits included on line 4 that were earned five years ago and were not used on lines 9 and 10, and any LB 270 credits that are no longer available due to recapture. Attach schedule with explanation.

LINE 12. Enter the difference between line 4, and the total of lines 9, 10, and 11. This is the amount of the unused credit that can be carried over for five years after the year earned.

LINE 14. If you are not located in an enterprise zone, enter -0-.

LINE 15. Enter the total renewable energy tax credit from attached worksheet.

LINE 16. Enter the total Nebraska Advantage Act credit allowed by the qualification audit which is being used to reduce income tax liability. Attach worksheet and a copy of the Department's qualification letter.

LINE 19. Contact the Department of Revenue for the worksheet and other documentation requirements for a credit for investing in a biodiesel facility. Contact the Department at www.revenue.ne.gov, (800) 742-7474 (toll free in Nebraska and Iowa) or (402) 471-5729.

LINE 21. Enter the total LB 608 credits allowed by the qualification audit for which a refund is being requested. LB 608 credits used by the entity actually earning the credit are not limited to the amount of Nebraska income tax liability on line 5. Attach a copy of the qualification letter received after the Department's qualification audit.

LINE 22. Enter the total Nebraska Advantage Microenterprise Tax credits claimed. Attach a copy of the approved application. Complete Part 3 of the application and attach supporting documentation.

DISTRIBUTION OF CREDITS (LB 270 ONLY). Each partnership, S corporation, limited liability company, and fiduciary that distributes its income currently must enter the name, address, social security or federal identification number,

the year credits were earned, and share of the credit for each partner, shareholder, member, or beneficiary (see line 25). The share of credit is determined by multiplying the total amount to be distributed by the share of income or ownership of each partner, shareholder, member, or beneficiary. If credits earned in more than one year are distributed, complete a schedule for each year.

CREDITS RECEIVED THROUGH DISTRIBUTION.

If you are filing Form 3800N to claim a credit distributed from a partnership, S corporation, limited liability company, or fiduciary that distributes its income currently, complete applicable section for the type of credits received. If you receive credits under both incentive programs, complete lines 26 through 32. Credits distributed to individual partners, shareholders, members, or beneficiaries are **not** refundable. They may only be used to the extent of the individual recipient's income tax liability.

LINE 31. Credits used cannot exceed the lesser of line 29 or line 30.