

## Revenue Ruling 29-03-1 Economic Development Tax Incentives

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Economic Development Tax Incentives – LB 608 Application. AN APPLICATION IS REQUIRED FOR RECEIPT OF BENEFITS UNDER THE EMPLOYMENT EXPANSION AND INVESTMENT INCENTIVE ACT AS AMENDED BY LAWS 2003, LB 608.

For tax years beginning on or after January 1, 2004, an application is required before any benefits may be received under the Employment Expansion and Investment Incentive Act. The application may be filed on or after the first day of the tax year and must request the total amount of the desired benefits for additional investment and employment for the year the application is filed and the following tax year. The application must contain a plan of expansion that includes a minimum of five (5) new full-time equivalent Nebraska employees who will be paid above the minimum required wage, and \$250,000 of net new investment. The planned expansion must be in counties each with a population of no more than 25,000 or in designated enterprise zones.

There is a statutory limit on the total amount of benefits that may be approved for any year. The requested benefits will be applied to the limit in the order in which the complete applications were filed. A complete application will be considered filed on the day it is received by the Department, or the day it was mailed if marked with a U.S. postmark. If an application is not complete when submitted, the Nebraska Department of Revenue will send notification within 15 business days of receipt of the application advising the applicant that it is not complete. The date of the application will be the last date on which information necessary to complete the application is filed. The Department is not responsible for any delay in completing the application.

The Nebraska Department of Revenue has prepared an application checklist that must be a part of a complete application. Each item on the checklist must be completed or an explanation as to why the item is not applicable must be attached. The application checklist is available on the website of the Nebraska Department of Revenue, [www.revenue.state.ne.us](http://www.revenue.state.ne.us), or may be requested from the Department.

When the checklist is completed, the application satisfies the statutory requirements which are:

- (a) a written statement describing the full expected employment and investment for a qualified business in this state;
- (b) sufficient documents, plans, and specifications as required by the Tax Commissioner to support the plan and to define a project; and
- (c) an application fee of five hundred dollars.

APPROVED:

Mary Jane Egr  
State Tax Commissioner

December 18, 2003