

**Nebraska Incentives Credit Computation  
for Tax Years After 2023**

• Attach this form to the original or amended return.

For tax year beginning \_\_\_\_\_, \_\_\_\_\_ and ending \_\_\_\_\_, \_\_\_\_\_

Name _____	Social Security Number or Nebraska ID Number _____
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Type of Return

Form 1040N    
  Form 1120-SN    
  Form 1120N    
  Form 1041N    
  Form 1065N    
  Form 1120NF

1 Nebraska income tax liability . . . . .	1		
2 Total nonrefundable credits (other than those on Form 3800N) . . . . .	2		
3 Nebraska income tax liability after other nonrefundable credits (line 1 minus line 2) . . . . .	3		

**Nonrefundable Incentive Credits**  
For credits that are received through distribution from another entity, also complete line 24.

4 Employment and Investment Growth Act (Form 775N) credit . . . . .	4		
5 Renewable Energy Tax credit (attach Nebraska Renewable Energy Tax Credit Worksheet). . . . .	5		
6 Nebraska Advantage Act (Form 312N) credit . . . . .	6		
7 Nebraska Advantage Rural Development Act distributed credit received . . . . .	7		
8 Nebraska Advantage Research and Development Act distributed credit received . . . . .	8		
9 New Markets Tax Credit (NMTC) . . . . .	9		
10 Nebraska Historic Tax Credit (NHTC) (attach Nebraska Historic Tax Credit Worksheet). . . . .	10		
11 Nebraska Affordable Housing Tax Credit (AHTC) . . . . .	11		
12 ImagiNE Nebraska Act (Form 1107N) credit . . . . .	12		
13 Key Employer and Job Retention Act credit . . . . .	13		
14 Urban Redevelopment Act distributed credit received . . . . .	14		
15 <b>TOTAL Form 3800N nonrefundable credits</b> (total of lines 4 through 14). Enter here and on Form 1040N, Form 1065N, Form 1120N, Form 1120-SN, Form 1041N, or Form 1120NF as appropriate. <b>Note - Line 15 cannot exceed line 3, Nebraska income tax liability after other nonrefundable credits . . .</b>	15		

**Refundable Incentive Credits**

16 Nebraska Advantage Rural Development Act credit (attach Worksheet I and Worksheet II, or Worksheet LM and qualification letter) . . . . .	16		
17 Nebraska Advantage Microenterprise credit (attach Form 3800N Worksheet M and supporting documents) . . .	17		
18 Nebraska Advantage Research and Development Act credit (attach Worksheet RD, Form 3800N) Enter the amount from line 22, Worksheet RD, Form 3800N here . . . . .	18		
19 Urban Redevelopment Act credit (see instructions) . . . . .	19		
20 Renewable Chemical Production (RCP) credit (list certificate number) _____ . . . . .	20		
21 Nebraska Higher Blend Tax Credit (HBTC) (list certificate number) _____ . . . . .	21		
22 Nebraska Biodiesel Tax Credit (BDTC) (list certificate number) _____ . . . . .	22		
23 <b>TOTAL Form 3800N refundable credits</b> (total of lines 16 through 22). Enter here and on Form 1040N, Form 1065N, Form 1120N, Form 1120-SN, Form 1041N, or Form 1120NF as appropriate . . . . .	23		

**Credits Received**  
Distributed Credits Received by Partners, Shareholders, Members, Patrons, and Beneficiaries

24 Distributed Credits Received by Partners, Shareholders, Members, Patrons, and Beneficiaries

(A) Name of distributing entity	(B) Address	(C) Project or Certificate Number for the Credits Received	(D) Nebraska ID Number	(E) Incentive Program	(F) Year Credit Earned	(G) Amount Received

## Instructions

**Purpose.** The purposes of the Nebraska Incentives Credit Computation, Form 3800N, are to:

- Identify the incentive program for which each tax credit is claimed;
- Identify the amount of tax credits used from each program;
- Identify distributed credits;
- Identify the specific project for which the tax credits were received; and
- Distinguish between and apply refundable and nonrefundable incentive tax credits appropriately.

**Who Must File.** Every taxpayer must complete the Form 3800N, to use any of the credits listed on lines 4 through 22 of this form.

**Note:** When claiming nonrefundable credits, the credits should be used in the order listed below:

- Renewable Energy Tax credit;
- Nebraska Advantage Rural Development Act credit;
- Nebraska Advantage Research and Development Act credit;
- New Markets Tax Credit (NMTC);
- Nebraska Historic Tax Credit (NHTC);
- Nebraska Affordable Housing Tax Credit (AHTC);
- Employment and Investment Growth Act (LB 775) credit;
- Nebraska Advantage Act (LB 312) credit;
- ImagiNE Nebraska Act (LB 1107) credit;
- Key Employer and Job Retention Act credit;
- Urban Redevelopment Act (LB 544) credit;
- Nebraska Biodiesel Tax Credit Act (BDTC)

**When and Where to File.** The Form 3800N must be completed and attached to the income or financial institution tax return filed by an individual, corporation, partnership, S corporation, limited liability company, exempt cooperative, or fiduciary for which a credit is claimed.

Partners, shareholders, members, patrons, or beneficiaries who are allowed any credits distributed by a partnership, S corporation, limited liability company, cooperative, or fiduciary should complete lines 1 through 15 and 24. **A copy of the Nebraska Schedule K-1N filed by the partnership, S corporation, limited liability company, cooperative, or fiduciary must be attached to the taxpayer's Form 3800N.** These credits may be used to reduce the taxpayer's income tax liability. Any NMTC, NHTC, AHTC, or HBTC can also be used to reduce the taxpayer's insurance premium tax liability or financial institutions franchise tax liability. Except for credits earned under the RCP, HBTC and BDTC, credits passed through to the taxpayer by a partnership, S corporation, limited liability company, cooperative, or fiduciary are not refundable.

**Records.** All claimants must retain records for at least three years after filing the tax return claiming the credit. If the taxpayer will be carrying forward any unused credits for incentive programs which allow credits to be carried forward, the records supporting the original credit must be kept for at least three years after filing the last return on which the credit carryforward is used.

### Specific Instructions

**Line 3.** Enter the result of line 1 minus line 2. If line 2 is greater than line 1, enter -0-. If line 3 is -0-, do not complete lines 4 through 15.

**Line 4.** Project holders must attach Form 775N and a copy of DOR's qualification letter. If you are claiming LB 775 credit distributed from another entity, you do not need to attach Form 775N or a copy of DOR's qualification letter.

**Line 5.** Enter the total Renewable Energy Tax credit from **Worksheet E**, Form 3800N. Attach a copy of this worksheet.

**Line 6.** Enter the total Nebraska Advantage Act (Form 312N) credit (allowed by the qualification audit) which is being used to reduce income tax liability. Attach a copy of DOR's qualification letter. Project holders must attach a Form 312N and a copy of DOR's qualification letter. If you are claiming LB 312 credit distributed from another entity, you do not need to attach either of these documents.

**Line 8.** Enter the amount of Nebraska Advantage Research and Development Act credits received from a partnership, S corporation, limited liability company, exempt cooperative, or fiduciary from Schedule A of the Form 3800N, Worksheet RD.

**Line 9.** Enter the total NMTCs claimed. Taxpayers who made an investment in a Community Development Entity (CDE) will receive NMTC information from the CDE. Taxpayers who are distributed NMTCs from a flow-through entity will receive NMTC information from the flow-through entity.

**Line 10.** Enter the total NHTCs claimed on the Nebraska Historic Tax Credit Worksheet, line 6a.

**Line 11.** Enter the total AHTCs.

**Line 12.** Enter the total ImagiNE Nebraska Act (LB 1107) credit used to reduce income tax liability. Applicants with signed ImagiNE Nebraska Act agreements must have previously filed, or must attach a completed ImagiNE Nebraska Act Incentive Computation, Form 1107N. The DOR will not allow this credit to offset an income tax liability until a 0.5% administrative fee is paid on the amount of credit used. The fee is computed on an ImagiNE Nebraska Act Payment of Fees for Incentive Credit Use, Form 1107F. The Form 1107F must be filed with the DOR and the fee is to be paid separately from the Nebraska income tax return.

**Line 13.** Enter the total Key Employer and Job Retention Act credit.

**Line 14.** Enter the credit earned under the Urban Redevelopment Act. Contact the DOR to obtain the necessary worksheet and other documentation requirements for claiming this credit.

**Line 16.** Enter the total Nebraska Advantage Rural Development Act credits (allowed by the qualification audit) for which a refund or credit is claimed. Nebraska Advantage Rural Development Act credits used by the entity earning the credits are not limited to the amount of Nebraska income tax liability on line 3. Attach a copy of DOR's qualification letter. Level 1 and Level 2 projects must also attach both the Nebraska Advantage Rural Development Act – Worksheet I and the Nebraska Advantage Rural Development Act – Worksheet II. Livestock Modernization projects must attach the Nebraska Advantage Rural Development Act – Worksheet LM.

**Line 17.** Enter the total Nebraska Advantage Microenterprise Tax credits claimed. Attach a completed Nebraska Advantage Act Microenterprise Tax Credit Act Claim, Form 3800N – Worksheet M and supporting documentation.

**Line 18.** Enter the amount calculated on line 22 of the **Worksheet RD**, Form 3800N, to be taken as a refundable credit.

**Line 19.** Enter any credit earned under the Urban Development Act. Project holders must attach a Form 544N.

**Line 20.** Enter any credit earned under the Renewable Chemical Production Tax Credit Act to be taken as a refundable credit. Enter the approved certificate number.

**Line 21.** Enter any credit earned under the Nebraska Higher Blend Tax Credit Act to be taken as a refundable credit. Enter the approved certificate number.

**Line 22.** Enter any credit earned under the Nebraska Biodiesel Tax Credit Act to be taken as a refundable credit. Enter the approved certificate number.

**Line 24. Credits Received Through Distribution.** If you are filing Form 3800N to claim a credit distributed from an entity (partnership, S corporation, limited liability company, cooperative, or fiduciary that distributes its income currently) you must support that entry on line 24. Identify the entity and the type of credits received from that entity and attach the appropriate Schedule K-1N from that entity. In column E, indicate from the list below the abbreviation for the program under which the credits were earned.

- Employment and Investment Growth Act = 775
- Renewable Energy Tax credit = RE
- Nebraska Advantage Act = 312
- Nebraska Advantage Rural Development Act = NARDA
- Nebraska Advantage Research and Development Act = RD
- New Markets Tax Credit = NMTC
- Nebraska Historic Tax Credit = NHTC
- Nebraska Affordable Housing Tax Credit = AHTC
- ImagiNE Nebraska Act = 1107
- Key Employer and Job Retention Act = KEY
- Urban Redevelopment Act = URA
- Renewable Chemical Production Tax Credit Act = RCP
- Nebraska Higher Blend Tax Credit Act = HBTC
- Nebraska Biodiesel Tax Credit Act = BDTC

If you receive credits under more than one incentive program, or from more than one entity, complete a separate line for each type of credit received and attach a separate Schedule K-1N from each entity. These credits may be used to reduce the taxpayer's income tax liability. Any NMTC, NHTC, AHTC, or HBTC can also be used to reduce the taxpayer's insurance premium tax liability or financial institutions franchise tax liability. Except for credits earned under the RCP and HBTC, credits passed through to the taxpayer by a partnership, S corporation, limited liability company, cooperative, or fiduciary are not refundable.

Credits received under the Nebraska Advantage Rural Development Act, the Nebraska Advantage Research and Development Act, the Renewable Energy Tax credit, the New Markets Tax Credit, Key Employer and Job Retention Act, Renewable Chemical Production Act, Nebraska Higher Blend Tax Credit Act, and the Nebraska Biodiesel Tax Credit Act will not have project numbers to enter in column C. For the Nebraska Historic Tax Credit, the Nebraska Higher Blend Tax Credit Act or the Nebraska Biodiesel Tax Credit Act, enter the certificate number in column C. For the Nebraska Advantage Act or the Employment and Investment Growth Act, enter the project number in column C. For the ImagiNE Nebraska Act, enter the application number in column C.

For the Affordable Housing Tax Credit, enter the AHTC qualified project number in column C. Taxpayers who receive allocated AHTCs from the project owner will receive AHTC information from the project owner. Taxpayers who receive credits through a transfer, sale, or assignment will receive AHTC information from the transferor of the AHTC credits.