NEBRASKA
Good Life. Great Service.
DEPARTMENT OF REVENUE

# Nebraska Remittance Transfer Excise Tax Return

FORM
**838**

| Tax Category | Nebraska ID Number | Rpt. Code | Tax Period |
|---|---|---|---|
| | | | |

NMLS ID: Due Date:

**Please Do Not Write In This Space**

**Name and Location Address** **Name and Mailing Address**

☐ **Amended Return**

☐ **Amended Return filed due to submitting revised Money Services Businesses (MSB) Call Report.**

☐ **Amended Return filed for other reason.** ____________________

☐ **Check this box if your business has permanently closed, has been sold to someone else, or your permit is no longer needed.**

| | | | |
|---|---|---|---|
| **1** Total dollar amount of all remittance transfers in Nebraska | **1** | | 00 |
| **2** Total dollar amount of remittance transfers in Nebraska subject to the Nebraska Remittance Transfer Excise Tax | **2** | | 00 |
| **3** Nebraska remittance transfer excise tax (line 2 multiplied by .25) | **3** | | |
| **4** Remittance transfer excise tax collection fee (line 3 multiplied by .025; if the result is $75.00 or more, enter $75.00) | **4** | | |
| **5** Remittance transfer excise tax due (line 3 **minus** line 4) | **5** | | |
| **6** Previous balance with applicable interest at % per year | **6** | | |

☐ **Check this box if your payment is being made electronically.**

| | | | |
|---|---|---|---|
| **7** Balance due (line 5 plus line 6). Pay in full with return | **7** | | |

Under penalties of law, I declare that as taxpayer or preparer I have examined this return and to the best of my knowledge and belief, it is correct and complete.

Preparer's Name ____________________ Preparer Email ____________________

Phone Number ____________________ Cell Phone ____________________

For tax assistance, call 800-742-7474 (NE and IA) or 402-471-5729.
**This return is due on or before the 20th day of the month following the tax period indicated above.**
Use NebFile to electronically file and pay your taxes.

# Instructions

**Who Must File.** Every remittance transfer provider who is a licensee under the Nebraska Money Transmitters Act and who makes or whose authorized delegates make remittance transfers in Nebraska must file a Nebraska Remittance Transfer Excise Tax Return, Form 838.

**When and Where to File.** This return and payment are due the 20th of the month following the tax period covered by the return. Returns are filed on a quarterly basis.

**Electronic Filing.** All remittance transfer providers are required to e-file Form 838 using NebFile for Business. **It is very important to keep the preparer information current**. Click on Business Information to update the contact information for the preparer. If you have questions about e-filing or payment options, visit the Department of Revenue's (DOR) website: revenue.nebraska.gov.

**Name and Address Changes.** You may make an **address** change during filing through the Business Information link; however, **name** changes must be done by filing a Nebraska Change Request, Form 22. Note: Updating your address with the DOR will not update your address with the Department of Banking and Finance.

**NMLS ID.** Enter your NMLS (Nationwide Multistate Licensing System / Nationwide Mortgage Licensing System and Registry) ID number as registered with the Department of Banking and Finance.

**Amended Returns.** Check the applicable amended return boxes if filing an amended return. An amended Form 838 return must be filed if a revised Money Services Business (MSB) Call Report has been submitted for the same period. If the amended return is being filed for any other reason, enter the reason.

**Penalty and Interest.** If a return is not filed and/or is not paid by the due date, a penalty may be assessed in the amount of 10% of the tax due or $25, whichever is greater. Interest on the unpaid tax will be assessed at the rate printed on line 6 from the due date until payment is received.

**Retention of Records.** Records to substantiate this return must be kept and be available to DOR for a period of at least three years following the date of filing the return.

**Specific Instructions.** Effective July 1, 2026, an excise tax of 25% is imposed on any remittance transfer by a licensee or an authorized delegate of a license under the Nebraska Money Transmitters Act to the residents of the following foreign adversary countries:

- The People's Republic of China, including the Hong Kong Special Administrative Region and the Macau Special Administrative Region (China);
- Islamic Republic of Iran (Iran);
- Democratic People's Republic of Korea (North Korea);
- Russian Federation (Russia); and

Remittance transfers to residents of the following foreign adversary countries are not subject to the excise tax:

- Republic of Cuba (Cuba);
- Venezuela

The excise tax is not applied to the following types of remittance transfers:

1. The sender or designated recipient of the transfer is an active duty member of the armed forces or a dependent of the active duty member.
2. For the which the funds are:
   a. Withdrawn from an account held in or by a financial institution that is:
      i. Subject to the requirements of 31 U.S.C. Chapter 53, subchapter II, as such section existed on January 1, 2026; and
      ii. Described as financial institution in 31 U.S.C § 5312(a)(2)(A) through (H), as such section existed on January 1, 2026, which includes the following:
         1. An insured bank (as defined in section 3(h) of the Federal Deposit Insurance Act (12 U.S.C. 1813(h)));
         2. A commercial bank or trust company;
         3. A private banker;
         4. An agency or branch of a foreign bank in the United States;
         5. Any credit union;
         6. A thrift institution;
         7. A broker or dealer registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.); or
         8. A broker or dealer in securities or commodities.
   b. Funded with a debit card or credit card issued in the United States.

# Specific Instructions

If no excise tax is due, the remittance transfer provider must still file a return and indicate it by entering a zero on the appropriate lines. Failure to do so extends the statute of limitations to six years for audit purposes.

**Line 1.** Enter the total dollar amount of all remittance transfers in Nebraska for the tax period. The amount in line 1 must correspond with amounts reported to the Nebraska Department of Banking and Finance in the Money Services Businesses Call Report that makes up the ST 40 quarterly reported amounts. The combined annual total must match the amount reported in the annual filing in the Q4 Money Services Businesses (MSB) Call Report of the State Transactions by Destination Country.

**Line 2.** Enter the total dollar amount of remittance transfers in Nebraska subject to the Nebraska Remittance Transfer Excise Tax.

**Line 4.** The remittance transfer provider is allowed to retain a fee for collecting the Nebraska Remittance Transfer Excise Tax.

**Line 6.** A **balance due** resulting from a partial payment, mathematical or clerical errors, penalty, or interest relating to prior returns is entered on this line. The amount of interest includes interest on unpaid tax through the due date of this return. If the amount due is paid before the due date, interest will be recomputed and adjusted on your next return. If you have sent payment for the amount shown on Line 6, please do not add into Line 7. A credit is indicated by the word "subtract" and can be subtracted from the amount due on line 5. However, if your records do not support this credit, please contact DOR.

**Line 7.** All taxpayers are required to make payments electronically. E-payments can be made while e-filing the Form 838. Electronic payments may be made using DOR's free e-pay program (EFT Debit), by ACH Credit or by phone. Refer to Payment Options for payment options.

**Signatures.** E-filed returns filed by preparers must keep their preparer contact information current. This is done on the Business Information page on NebFile.

## Terms

**Refer to the Nebraska Money Transmitters Act for statutory definitions of terms. The definitions stated in these instructions do not supersede, alter, or otherwise change any provisions of the Nebraska tax code, regulations, DOR rulings, or court decisions.**

**Active Duty.** The term active duty member of the armed forces means a person who is a member of the armed forces of the United States on active duty as defined in 10 U.S.C. § 101(d)(1), as such section existed on January 1, 2026, or a member of the Nebraska National Guard in active service of the state.

**Credit Card.** The term credit card is defined with reference to federal laws (see 15 U.S.C. § 1693o-2, as such section existed on January 1, 2026, and 15 U.S.C. § 1602) and means any card, plate, coupon book or other credit device existing for the purpose of obtaining money, property, labor, or services on credit.

**Debit Card**. The term debit card is defined with reference to federal law (see 15 U.S.C. § 1693o-2, as such section existed on January 1, 2026) as meaning any card, or other payment code or device, issued or approved for use through a payment card network to debit an asset account (regardless of the purpose for which the account is established), whether authorization is based on signature, PIN, or other means. The term debit card does not include paper checks and a general-use prepaid card as defined in 15 U.S.C. §1693l-1, as such section existed on January 1, 2026.

**Dependent.** The term dependent means a spouse or any other person for who an active duty member of the armed forces provided more than one-half of that person's support.

**Designated Recipient.** The term designated recipient is defined with reference to federal law (see see 15 U.S.C. § 1693o-1, as such section existed on January 1, 2026) and means any person located in a foreign country and identified by the sender as the authorized recipient of a remittance transfer to be made by a remittance transfer provider, except that a designated recipient shall not be deemed to be a consumer.

**Foreign Adversary Country.** The term foreign adversary country means those countries listed in 15 C.F.R. § 791.4, as such regulation existed on January 1, 2026.

**Remittance Transfer.** The term remittance transfer only applies where the sender provides cash, a money order, a cashier's check, or any other physical instrument to the remittance transfer provider, and is otherwise defined with reference to federal law (see 15 U.S.C. § 1693o-1, as such section existed on January 1, 2026) as meaning:

1. The electronic (as defined in section 106(2) of the Electronic Signatures in Global and National Commerce Act (15 U.S.C. § 7006(2))) transfer of funds requested by a sender located in any State to a designated recipient that is initiated by a remittance transfer provider, whether or not the sender holds an account with the remittance transfer provider or whether or not the remittance transfer is also an electronic fund transfer, as defined in 15 U.S.C. § 1693a; and
2. Does not include a transfer described above in an amount of $15 or less (see 15 U.S.C. § 1693o-1(g)(2); 12 C.F.R. § 1005.30(e)).

**Remittance Transfer Provider.** The term remittance transfer provider is defined with reference to federal law (see 15 U.S.C. § 1693o-1, as such section existed on January 1, 2026) and means any person or financial institution that provides remittance transfers for a consumer in the normal course of its business, whether or not the consumer holds an account with such person or financial institution.

**Sender.** The term sender is defined with reference to federal law (see 15 U.S.C. § 1693o-1, as such section existed on January 1, 2026) and means a consumer who requests a remittance provider to send a remittance transfer for the consumer to a designated recipient.