Payment of $25 fee must be attached to this form.

RESET FORM | PRINT FORM

NEBRASKA
Good Life. Great Service.
DEPARTMENT OF REVENUE

Request for Abatement of Penalty

Complete a separate application for each penalty assessment.

FORM 21
2026

Nebraska ID Number as It Appears on Your Return	Social Security Number (for individual income tax)	**Please Do Not Write in This Space**
Tax Period for Which Penalty Was Assessed (For income tax, complete a separate request for each tax year.)	Amount of Penalty Assessed $_____	

Name and Location Address	**Name and Mailing Address**
Name Doing Business As (dba)	Name
Legal Name	Street or Other Mailing Address
Street Address	City State ZIP Code
City State ZIP Code	Email Address Phone Number
Email Address Phone Number	

A request for abatement of penalty will not be processed until the tax, interest, and fee have been paid. For income tax programs, do not include requests for abatement of underpayment of estimated tax penalties (Forms 2210N or 2220N) using this form. Complete a Form 21A to request abatement of interest and any underpayment of estimated tax penalty. If you have timely filed or will be timely filing a petition for redetermination of a Notice of Deficiency Determination and are requesting an abatement of penalty related to that Notice, you may file this form and the associated fee in addition to your petition for redetermination.

Check the Tax Program for Which Penalty Was Assessed. (Complete a separate Form 21 for each tax program.)

- ☐ Sales or Use Tax
- ☐ Income Tax Withholding
- ☐ Individual Income Tax
- ☐ Corporate Income Tax
- ☐ Fiduciary Income Tax
- ☐ Partnership Income Tax
- ☐ Litter Fee
- ☐ Lodging Tax
- ☐ Tire Fee
- ☐ Bingo, Lottery, Raffle, or Lottery by Pickle Card
- ☐ County and City Lottery (Keno)
- ☐ Mechanical Amusement Device Tax
- ☐ Cigarette Tax
- ☐ Tobacco Products Tax
- ☐ Waste Reduction and Recycling Fee
- ☐ Non-Directory Property
- ☐ Other _____

Authorized Contact Person	Title	Daytime Phone	Email Address

Basis of Request for Abatement: Explain how the failure to comply with Nebraska tax law was due to causes that were beyond your reasonable control and not due to negligence or intentional disregard of Nebraska law. Attach copies of any documentation you would like considered in the review, including any communications, guidance documents, or other relevant documents.

☐ I have enclosed a check or money order for $25.

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

sign here

Signature of Owner, Partner, Member, Corporate Officer, or Person Authorized by Attached Power of Attorney	Title	Date	Daytime Phone
Signature of Preparer Other Than Taxpayer	Title	Date	Daytime Phone

Email Address

For Nebraska Department of Revenue Use Only

Penalty Assessed $_____ Comments: _____

Amount Abated $_____

Amount Denied $_____

Unable to Process $_____ Authorized Signature Date

Tran Code	Amount
Penalty	
Line # ___	
Line # ___	
Fee Paid	

Mail completed form and fee to: **Nebraska Department of Revenue, PO Box 94818, Lincoln, NE 68509-4818.**
revenue.nebraska.gov, 800-742-7474 (NE and IA), 402-471-5729
Retain a copy for your records.

(See the Section 77-371 Fee Amounts Revenue Ruling for the current fee amount.)

Instructions

Who May File. Any taxpayer who has been assessed a penalty and has paid all tax and interest not subject to abatement, may request an abatement of the penalty. **A separate request must be completed for each penalty assessed.** Do not use this form to request an abatement of penalty until all tax and interest not subject to abatement have been paid. Do not use this Form 21 to request abatement of individual or corporation underpayment of estimated tax penalties. Instead, refer to the Individual Underpayment of Estimated Tax Penalty, Form 2210N, or Corporation Underpayment of Estimated Tax Penalty, Form 2220N, for any exceptions and waivers of these penalties. If you are filing a petition for redetermination (Protest), you may file this form along with your protest if you wish to request abatement of a penalty associated with your protest. No penalty abatement will be considered or allowed without the payment of the required fee.

This form may not be used to request an abatement of interest. Use the Request for Abatement of Interest, Form 21A, to request abatement of interest which is allowed only in certain specified situations, as explained on that form.

Where to File. Mail the check or money order with the completed Form 21 to Nebraska Department of Revenue, PO Box 94818, Lincoln, NE 68509-4818.

Request for Abatement of Penalty Fee. Beginning July 1, 2026, the taxpayer must pay the nonrefundable fee for the Form 21 or the form will be returned as unable to be processed. For 2026, the fee is $25. The fee is adjusted annually. See the Section 77-371 Fee Amounts Revenue Ruling for the current fee amounts. If a taxpayer is filing this form in conjunction with other forms with fees, the fees are cumulative. All three fees may be paid with one check. This fee is nonrefundable, even if your abatement request is denied or was unable to be processed.

How to Pay Your Request for Abatement of Penalty Fee. The fee must be paid by check or money order payable to the "Nebraska Department of Revenue" and should include the taxpayer's information in the memo. For 2026, the fee is $25. Fees for Form 21 are **not** accepted electronically. Any payments made electronically will be applied to the taxpayer's account and **cannot** be adjusted to reflect the Form 21 fee. Fee waivers are not accepted for Form 21.

Email. By entering an email address, the taxpayer acknowledges that DOR may contact the taxpayer by email. The taxpayer accepts any risk to confidentiality associated with this method of communication. DOR will send all confidential information by secure email or the State of Nebraska's file share system. If you do not wish to be contacted by email, write "Opt Out" on the line labeled "email address."

Basis of Request for Abatement. Your Request for Abatement of Penalty must be supported by a complete explanation of how the failure to comply with Nebraska tax law was due to causes that were beyond your reasonable control and not due to negligence or intentional disregard of Nebraska law. If the space provided for the explanation is not sufficient, a separate letter of explanation may be attached. **Submitting this request does not guarantee abatement. Reasons provided for abatement and prior abatement history will determine approval, partial approval, or denial of this request.**

Processing Procedure. The Nebraska Department of Revenue (DOR) will not process any Form 21 that does not meet all of the following criteria: the Form 21 is filled out completely, including the basis for the failure to file and pay timely due to causes that were beyond your reasonable control, payment of all the associated tax and interest that is not subject to abatement, and payment of applicable fee. DOR will review all documentation supporting the Form 21 that is properly submitted prior to making a determination of whether a request for abatement is approved, partially approved, or denied.

Appeal Procedure. The denial of a request in its entirety, or in part, is considered a final determination by DOR and may be appealed. The requesting party must file an appeal with the District Court of Lancaster County within 30 days after the mailing of DOR's final determination in order to contest the determination.

Amount Denied. If the entire penalty is not abated, DOR will send a copy of this Form 21 with an explanation. If the Request for Abatement of Penalty was denied in whole or in part and there is an amount shown on the Amount Denied line, you must remit this amount or appeal DOR's final determination by following the above appeal procedures.

Unable to Process. If DOR was unable to process some or all of the Form 21 for any reason, you may submit a corrected Form 21 to DOR or remit to DOR the amount of penalty on the Unable to Process line. The Abatement of Penalty Fee is not refundable even if DOR is unable to process the Form 21 because you have not paid all tax and interest not subject to abatement. If you resubmit a returned or denied Form 21, you will need to pay the fee again with your subsequent submission.

Payment. If you are a business and the penalty is related to a monthly or quarterly return, please pay the remaining penalty with your next tax return. If you are mandated to make payments by electronic funds transfer (EFT), the penalty and interest payment must also be made by EFT. If you are not mandated to make payments electronically and do not file business tax returns on a monthly or quarterly basis, the remaining penalty should be remitted with a copy of the Form 21.

Information. Questions may be directed to DOR at 800-742-7474 (NE and IA) or 402-471-5729.