NEBRASKA
Good Life. Great Service.
DEPARTMENT OF REVENUE

Tax Incentive Software Cover Sheet

Vendor Name		Line Numbers (Investment file)
Taxpayer Name	Tax Incentive Project Number	Date of Application

Applicants for Nebraska tax incentive programs must complete a separate Tax Incentive Software Cover Sheet for each software purchase, software lease, or software maintenance purchase during the attainment or entitlement period. The following information is needed to determine if software is tangible personal property subject to depreciation, amortization, or other recovery under the IRC that will be located and used at the project location. If it is, it qualifies as investment or for a direct refund. Software is considered qualified software if the software is tangible personal property subject to depreciation, amortization, or other recovery under the Internal Revenue Code that will be located and used at the project, in a qualified business activity. Section 7 is not needed if there are no software maintenance fees.

The completed Software Cover Sheet and a copy of the master agreement, current software agreement, attachments, or addenda must be provided to the Nebraska Department of Revenue at the time of the audit or when filing a refund claim.

Section 1 – General Information

1 Which entity is named as the purchaser in the agreement or contract?

2 Provide a general description of the software product, including a statement about its use and the users.

3 Is the purchaser/licensee an entity performing qualified activities at the project?.. ☐ Yes   ☐ No
If No, **do not complete the rest of the Software Cover Sheet** because this software is not eligible for investment or a direct refund.

4 Is the payment being made on behalf of a customer for which the purchaser is providing data processing services?.. ☐ Yes   ☐ No
If Yes, **do not complete the rest of the Software Cover Sheet** because this software is not eligible for investment or a direct refund.

5 Is the software being resold or leased to a customer? .... ☐ Yes   ☐ No
    a If Yes, **do not complete the rest of the Software Cover Sheet** because this software is not eligible for investment or a direct refund.
    b Is the software purchased or leased by the applicant? _____
    If purchased fill out section 2, if leased fill out section 3.

6 Is the software eligible for depreciation, amortization, or other recovery under IRC Section 197? .... ☐ Yes   ☐ No
If Yes, **do not complete the rest of the Software Cover Sheet** because this software is not eligible for investment or a direct refund.

Section 2 – Purchased Software

Purchase Agreement Names		Dates		Purchase Agreement Numbers
Asset Number	General Ledger Account Number	General Ledger Account Name		Date Placed in Service

Section 3 – Leased/Licensed Software

Lease Reference (Number or Title)		Lessor Name
Lease Inception Date	Term of Lease	Type of Lease for Tax Purposes ☐ Capital ☐ Operating

Vendor Name	Line Numbers (Investment file)

Section 4 – Is the Software Tangible Personal Property?

For purchased or leased software, provide references to the provisions of the agreement that support the following attributes: Provide the page and paragraph reference for the section of the agreement supporting the following attributes.

Agreement Attributes	Agreement Name*	Page Number	Paragraph Number
The software is readily available to the public for purchase			
The software is subject to a nonexclusive license			
The software license is nontransferable			
Modification of the software is prohibited			

*If more than one agreement list all.

Section 5 – Location and Use

7 Is the software located on a server not at the project, cloud based, or accessed on a server owned or leased by the software provider?.. ☐ Yes ☐ No

   a If yes, **do not complete the rest of the Software Cover Sheet** because this software is not eligible for investment or a direct refund.

8 Is any software located on an end user's device? .... ☐ Yes ☐ No

   a If yes, are all end users located at the incentive project? .... ☐ Yes ☐ No

   b If the answer to 8a is no, provide information about number and location of end users.

9 Provide the addresses of sites where the software is located.

10 Is the software only located on a server or servers that are at the project? .... ☐ Yes ☐ No

If no, retain documentation demonstrating the cost of the software located at the project.

Section 6 – Invoice and Agreement Reconciliation

11 List the invoice numbers related to the software purchase, lease, or the maintenance fee.

12 Provide references from the software agreement, addendum/addenda, statement of work, etc. which demonstrate how the invoices tie to the attached agreement.

Section 7 – Software Maintenance
• Only complete if separate fee for software maintenance.

In addition to the information requested above for the software product subject to the maintenance agreement, the following information is needed.

13 Does the maintenance agreement provide for software updates? .... ☐ Yes ☐ No
If Yes, provide the following information. If No, stop here.

Agreement Name	Page Number	Paragraph Number

14 Was an upgrade received?.. ☐ Yes ☐ No

15 Date the upgrade was placed in service _____

16 Attach a document demonstrating that the upgrade was installed.

I declare that I have examined this document, and to the best of my knowledge and belief, it is true, correct, and complete. This declaration is based on all information of which I have any knowledge.

sign here ▶

Signature _____ Title _____ Date _____

Print Name _____