



NEBRASKA INCENTIVES CREDIT COMPUTATION
for Tax Years After 2005 and Before 2011

Attach this form to the original or amended return.

FORM 3800N

For tax year beginning and ending

Name as Shown on Return

Social Security No. or Nebraska ID Number

Type of Return

1040N

1120-SN

1120N

1041N

1065N

1120NF

EMPLOYMENT EXPANSION AND INVESTMENT INCENTIVE ACT (LB 270) CREDITS
These credits are no longer available for most taxpayers. See instructions.

Nebraska Location Addresses Where Expansion Occurred

Counties Where Expansion Occurred

Table with 12 rows for LB 270 credits. Columns include description, line number (1-12), and input fields.

OTHER INCENTIVE CREDITS

Table with 10 rows for other incentive credits (lines 13-24). Columns include description, line number, and input fields.

**LB 270 Credit Distribution Only**

Distribution of Credits by Partnerships, S Corporations, Limited Liability Companies, Cooperatives, and Certain Fiduciaries Only

25 Distribution of LB 270 credit among partners, shareholders, members, patrons, and beneficiaries is no longer available.

**LB 270 Credits Received**

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

26 Receipt credit from a partnership, S corporation, limited liability company, exempt cooperative, or fiduciary that distributes its income currently.

Name	Address	Nebraska ID Number	Year Credit Earned	Share of Credits Received
26 TOTAL of credits received (enter here and include on line 1) .....				26

**LB 775 Credits Received Through Distribution**

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

27 Receipt of credit is from a partnership, S corporation, limited liability company, exempt cooperative, or fiduciary that distributes its income currently.

Name	Address	Nebraska ID Number	Year Credit Earned	Share of Credits Distributed
27 TOTAL of your share of distributed credits.....				27
28 Total distributed credits carried forward from earlier years .....				28
29 Total amount of distributed credits available for use (line 27 plus line 28).....				29
30 Nebraska income tax liability after all other non-refundable credits.....				30
31 Credits used to reduce income tax liability. Enter here and on line 13 .....				31
32 Total credits to be carried forward (line 29 minus line 31) .....				32

## INSTRUCTIONS

### SPECIAL INSTRUCTIONS FOR TAXPAYERS CLAIMING CREDIT UNDER THE EMPLOYMENT AND INVESTMENT GROWTH ACT (LB 775)

If a business is using the LB 775 credit to reduce its income tax liability, complete lines 27 through 32. Enter the amount of credit being used from Form 775N, and from line 31, Form 3800N, on line 13. There is no need for other lines on Form 3800N to be completed. If you are claiming credits from both LB 775 **and** other incentive programs, contact the Tax Incentives Section of the Nebraska Department of Revenue (Department) for instructions before completing Form 3800N. Contact information for each of the incentive programs is available at [www.revenue.ne.gov](http://www.revenue.ne.gov).

**WHO MUST FILE.** Every taxpayer must complete the Nebraska Incentives Credit Computation, Form 3800N, to use the credits allowed by the:

- Employment Expansion and Investment Incentive Act (LB 270);
- Employment and Investment Growth Act (LB 775);
- Nebraska Advantage Rural Development Act (LB 608);
- Nebraska Advantage Microenterprise Tax Credit Act;
- Nebraska Advantage Research and Development Act;
- Nebraska Renewable Energy Tax Credit; and
- Biodiesel Facility Credit.

The prior version of this form must be used to claim or amend LB 270 credits for tax year 2003 or earlier. New LB 270 credits may not be earned for tax year 2004 or after.

**WHEN AND WHERE TO FILE.** The Form 3800N must be completed and attached to the income tax return filed by an individual, corporation, fiduciary, partnership, limited liability company, or S corporation for which a credit is claimed.

Partners, shareholders, members, patrons, or beneficiaries who are allowed any distributive credits from a partnership, S corporation, limited liability company, cooperative, or fiduciary should complete lines 1 through 24 and 27. A copy of the Form 3800N filed by the partnership, S corporation, limited liability company, cooperative, or fiduciary must be attached to the taxpayer's Form 3800N. These credits may only be used to reduce the taxpayer's income tax liability.

**RECORDS.** All claimants must retain records for at least three years after the filing of the income tax return claiming the credit. If the taxpayer will be utilizing the carryforward period to claim the credit calculated, the records supporting the original credit must be kept for a period of at least three years after the return is filed in which the credit carryforward is used.

**FAILURE TO MAINTAIN LB 270 INVESTMENT AND EMPLOYMENT LEVELS.** A taxpayer is required to maintain the levels of employment and investment that created the credit for at least two years after the year in which the credit was allowed. If a taxpayer fails to maintain the required levels of employment and investment, the taxpayer will be subject to certain recapture provisions. Contact information for the Department's Tax Incentives Section is available at [www.revenue.ne.gov](http://www.revenue.ne.gov).

### SPECIFIC INSTRUCTIONS

**LOCATION ADDRESS.** List the business locations in Nebraska where the LB 270 investment and expanded employment occurred. This should include street address and city. Do not include the company's headquarters address, unless this is either where the expansion occurred in Nebraska, or the expansion was at multiple locations in Nebraska.

**LB 270 was replaced in 2004 and credits are no longer available for most taxpayers. Only taxpayers who received distributed credits from entities with a fiscal year may have some credits that have not expired. All other taxpayers, skip lines 1 through 11.**

**LINE 3.** Enter the amount of Nebraska LB 270 sales and use tax refunds claimed to date. This should include any amounts claimed, even if the taxpayer has not yet received the refund.

**LINE 11.** Enter the total of any LB 270 credits included on line 4 that were earned five years ago and were not used on lines 9 and 10, and any LB 270 credits that are no longer available due to recapture. Attach a schedule with an explanation.

**LINE 14.** If you are not located in an enterprise zone, enter -0-.

**LINE 15.** Enter the total renewable energy tax credit from the attached worksheet.

**LINE 16.** Enter the total Nebraska Advantage Act credit (allowed by the qualification audit) which is being used to reduce income tax liability. Attach the worksheet and a copy of the Department's qualification letter.

**LINE 19.** Obtain the necessary worksheet and other documentation requirements for a credit for investing in a biodiesel facility by contacting the Department at [www.revenue.ne.gov](http://www.revenue.ne.gov), (800) 742-7474 (toll free in Nebraska and Iowa) or (402) 471-5729.

**LINE 21.** Enter the total LB 608 credits (allowed by the qualification audit) for which a refund is being requested. LB 608 credits used by the entity actually earning the credit are not limited to the amount of Nebraska income tax liability on line 5. Attach a copy of the Department's qualification letter.

**LINE 22.** Enter the total Nebraska Advantage Microenterprise Tax credits claimed. Attach a copy of the approved application. Complete Part 3 of the application and attach supporting documentation.

**DISTRIBUTION OF CREDITS.** Credits may not be distributed for 2010 or any later year.

**CREDITS RECEIVED THROUGH DISTRIBUTION.** Only an entity with a fiscal year can distribute credits during the recipient's 2010 tax year. If you are filing Form 3800N to claim a credit distributed from a partnership, S corporation, limited liability company, cooperative, or fiduciary that distributes its income currently, complete the applicable section for the type of credits received. If you receive credits under more than one incentive program, complete lines 26 through 32. Credits distributed to partners, shareholders, members, patrons, or beneficiaries are **not** refundable. They may only be used to the extent of the recipient's income tax liability.

**LINE 31.** Credits used cannot exceed the lesser of line 29 or line 30.