

**Nebraska Incentives Credit Computation  
for Tax Years After 2018**

• Attach this form to the original or amended return.

**FORM  
3800N**

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

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

<input type="checkbox"/> Form 1040N	<input type="checkbox"/> Form 1120-SN	<input type="checkbox"/> Form 1120N	<input type="checkbox"/> Form 1041N	<input type="checkbox"/> Form 1065N	<input type="checkbox"/> Form 1120NF
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1 Nebraska income tax liability . . . . .	1		
2 Total nonrefundable credits (other than Form 3800N) . . . . .	2		
3 Nebraska income tax liability after other nonrefundable credits (line 1 minus line 2) . . . . .	3		

**Nonrefundable Incentive Credits**  
For credits on line 4 and lines 6 through 11 that are received through distribution from another entity, complete line 17.

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 <b>TOTAL Form 3800N nonrefundable credits</b> (total of lines 4 through 11). Enter here and on Form 1040N, Form 1120N, Form 1041N, or Form 1120NF as appropriate. <b>Note - Line 12 cannot exceed line 3, Nebraska income tax liability after other nonrefundable credits</b> . . . . .	12		

**Refundable Incentive Credits**

13 Nebraska Advantage Rural Development Act credit (attach Worksheet I and Worksheet II, or Worksheet LM and qualification letter) . . . . .	13		
14 Nebraska Advantage Microenterprise credit (attach a claim and supporting documents) . . . . .	14		
15 Nebraska Advantage Research and Development Act credit (attach Worksheet RD, Form 3800N) Enter the amount from line 22, Worksheet RD, Form 3800N here . . . . .	15		
16 <b>TOTAL Form 3800N refundable credits</b> (total of lines 13, 14, and 15). Enter here and on Form 1040N, Form 1120N, or Form 1041N as appropriate . . . . .	16		

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

17 Credits received from a partnership, S corporation, limited liability company, cooperative, or fiduciary that distributes its income currently.

(A) Name	(B) Address	(C) Project Number	(D) Nebraska ID Number	(E) Incentive Program	(F) Year Credit Earned	(G) Share of Credits 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 the specific project from which the tax credits were received; and
- Distinguish between refundable and nonrefundable incentive tax credits.

**Who Must File.** Every taxpayer must complete the Form 3800N, to use the following credits:

- Nebraska Advantage Microenterprise credit;
- 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);
- Biodiesel Facility credit;
- Employment and Investment Growth Act (LB 775) credit; and
- Nebraska Advantage Act (LB 312) credit.

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

**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 distributive credits from a partnership, S corporation, limited liability company, cooperative, or fiduciary should complete lines 1 through 12 and 17. 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, or AHTC can also be used to reduce the taxpayer's insurance premium tax liability or financial institutions franchise tax liability. Credits passed through to the taxpayer by a partnership, S corporation, limited liability company, cooperative, or fiduciary are not refundable. Contact the Nebraska Department of Revenue (DOR) to obtain the necessary worksheet and other documentation requirements for claiming a credit for investing in a [biodiesel facility](#).

**Records.** All claimants must retain records for at least three years after filing the 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 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 11.

**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. Taxpayers who are distributed AHTCs from a flow-through entity see below.

**Line 13.** 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 14.** 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 15.** Enter the amount calculated on line 22 of the **Worksheet RD**, Form 3800N, to be taken as a refundable credit.

**Line 17. 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), 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

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, or AHTC can also be used to reduce the taxpayer's insurance premium tax liability or financial institutions franchise tax liability. 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, and the New Markets Tax Credit will not have project numbers to enter in column C. For the Nebraska Historic Tax Credit, enter the NHTC certificate 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.