

Instructions

Who May File. A certified scholarship-granting organization (SGO) that was notified of an intended contribution and tax credit must file an Opportunity Scholarship Act Notification of Intended Tax Credit, Form NSGO-IC. The Form NSGO-IC cannot be filed by the contributor.

What to File. The SGO must submit Form NSGO-IC to notify the Nebraska Department of Revenue (DOR) of a taxpayer's intended tax credit. The SGO must submit an Opportunity Scholarship Act Notification Regarding Intended Contribution, Form NSGO-X if the taxpayer does not contribute within the time stated in Neb. Rev. Stat. §77-7109. The SGO must also submit Form NSGO-X if the taxpayer contributes less than the intended tax credit amount.

When to File. Form NSGO-IC must be filed by the SGO after a taxpayer has contacted the SGO to make a contribution. The taxpayer must make the donation no later than 60 days after notifying the SGO of the intended contribution per Neb. Rev. Stat. §77-7109. If the intended contribution was not made within the time period or if the contribution made is less than the reported intended tax credit amount the SGO must file form NSGO-X.

Processing Procedure. DOR will process Forms NSGO-IC in the order they are received. The SGO will notify DOR of an intended contribution by uploading this form. DOR will respond by email within 30 days notifying the SGO of any available credits remaining. If the taxpayer does not make the intended contribution the SGO is required to notify DOR by completing the Form NSGO-X and submitting it to DOR.

Intended Tax Credit. A taxpayer may claim a nonrefundable credit for the timely contribution made to a certified SGO in the tax year in which the taxpayer made the contribution. The credit is the lesser of:

- The total amount of contributions made to the SGO during the tax year;
- 50% of the income tax liability of the taxpayer for such year; or
- \$100,000 or \$1 million for estates and trusts.

If a shareholder, beneficiary or member is claiming the credit based on a distribution the credit is first limited by the tax liability of the pass-through entity. If the pass-through is not subject to tax the credit will be zero.

Changes to Intended Tax Credit. If the taxpayer increases the amount of their contribution and wants to increase the amount of their tax credit, a separate Form NSGO-IC must be completed and filed for the amount over the initial intended tax credit. If a taxpayer does not timely make the contribution or makes a contribution lower than their intended tax credit, the SGO must notify DOR by filing a Form NSGO-X.

Email. By entering an email address or uploading this form electronically, the SGO acknowledges DOR may contact the SGO or contact the SGO's authorized signatory by email. The SGO and 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 ShareFile system.

Authorized Signature. The Forms NSGO-IC and NSGO-X must be signed by the current president, vice president, treasurer, assistant treasurer, chief accounting officer, or other corporate officer (such as a tax officer) who is authorized to sign as of the date this application is filed. A receiver, trustee, or assignee must sign any application they file for a corporation or association. For a trust, an authorized trustee must sign. The forms may be signed by a person authorized to sign by a power of attorney on file with DOR. The authorized person must indicate their official title on the line provided.

Records. The SGO should keep a copy of all Forms NSGO-IC and NSGO-X filed with DOR.

Please note one of the intended credit limitations is 50% of the income tax liability of the donor, if this is a pass-through entity that does not have a tax liability the credit will be zero.

If the taxpayer wants to increase the amount of their intended tax credit, a separate Form NSGO-IC must be completed and filed for the amount over the initial intended tax credit.