

NEBRASKA

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DEPARTMENT OF REVENUE

Annual Report to the Legislature under Neb. Rev. Stat. § 77-1120

Glen White Tax Commissioner - Interim

April 1, 2023

New Markets Job Growth Investment (NMTC) Act Reporting Requirements

[Neb. Rev. Stat. § 77-1120](#) provides:

(1) A qualified community development entity that has received an allocation of qualified equity investment authority pursuant to the 2021 allocation shall submit an annual report to the Tax Commissioner on or before the last day of February following the second through seventh credit allowance dates. The annual report shall provide documentation as to the qualified community development entity's qualified low-income community investments and include all of the following:

- (a) A bank statement evidencing each qualified low-income community investment;
- (b) The name, location, and industry of each qualified active low-income community business receiving a qualified low-income community investment; and
- (c) The number of jobs created or retained as a result of each qualified low-income community investment.

(2) The Tax Commissioner shall electronically submit a report to the Legislature on or before April 1, 2022, and on or before each April 1 thereafter through April 1, 2028, with respect to the 2021 allocation. The report shall include all of the following:

- (a) The name and number of all of the qualified community development entities approved to participate in the 2021 allocation;
- (b) The amount of qualified low-income community investments made by the qualified community development entities;
- (c) The location of each qualified active low-income community business; and
- (d) The number of jobs created or retained as a result of each qualified low-income community investment.

Summary Description

The NMTC Act requires a qualified community development entity (CDE) to file an application requesting authority to issue qualified equity investments (QEIs) that qualify for tax credits. The proceeds from the QEIs must be used to make qualified low-income community investments (QLICIs) in a qualified active low-income community business (QALICB).

The Tax Commissioner must limit the amount of QEIs to \$15 million of credit utilization in any fiscal year. The \$15 million credit limitation is equal to QEIs of \$187.5 million (\$15 million credit utilization/8% the highest credit rate).

The person or entity that makes an equity investment in the CDE receives tax credits totaling 39% of the investment. The credits may be used beginning with the tax year that includes the third through seventh anniversary dates of the initial investment. The credits are equal to 7% of the total investment for the third anniversary date and 8% for each of the following four anniversary dates.

NMTC Activity Detail

The CDEs granted the authority to issue QEIs with respect to the 2021 allocation are as follows:

Community Development Entities		
Allocations Certified from January 1, 2021 through December 31, 2022		
Number of CDEs	CDE Name	QLICs Issued
1	Advantage Capital Community Development Fund XXXVI	Unknown
2	CDVCA 21, LLC	\$10,000,000
3	Hampton Roads Ventures LLC	Unknown
4	Midwest Community Development Fund XIV, LLC	\$19,000,000
5	Stonehenge Community Development, LLC	\$10,000,000
Total		\$39,000,000

As of December 31, 2022, there is \$127,500,000 of unallocated QEIs. Those unallocated QEIs represent tax credits of approximately \$10,200,000 a year.

The above CDEs made QLICs in the following QALICBs. The jobs created or retained by the QALICBs resulting from the QLICI are also listed below.

Qualified Active Low-Income Community Businesses			
Name	Location		Jobs Created or Retained
Beehive Industries, LLC	151 North 8 th Street	Lincoln, NE 68508	20
Centese, Inc.	4156 S. 52 nd Street	Omaha, NE 68117	12
Clean Slate Food Company	1229 Millwork Avenue	Omaha, NE 68102	18
Decker Sports USA, LLC	8421 N. 29 th Street	Omaha, NE 68112	17
CoreLeap, Inc.	1111 North 13 th Street	Omaha, NE 68102	16
Leadership Resources	1248 "O" Street	Lincoln, NE 68508	22
Midwest Health Partners	1410 N. 13 th Street	Norfolk, NE 68701	33
Opendorse, Inc.	1320 Q Street	Lincoln, NE 68508	46
Pacha Soap, Inc.	405 W. 2 nd Street	Hastings, NE 68901	70
Wholstone Farms II, LLC	900 S. Platte Avenue	Fremont, NE 68025	2,077
Westin, Inc.	1000 3rd Street	Fairbury, NE 68352	158
Total			2,489

There is no data on the QLICs, QALICBs, or number of jobs created or retained resulting from the allocations awarded to Advantage Capital Community Development Fund XXXVI or Hampton Roads Ventures, LLC. These CDEs are not required to file a report with the Tax Commissioner until February of 2024. The next annual report will include information related to these CDEs.

New Markets Tax Credit Links [relating to the requirements of Neb. Rev. Stat. § 77-1120]:

- [Nebraska Application for Certification of Qualified Equity Investments Eligible for the New Markets Job Growth Investment Tax Credit](#)
- [New Markets Job Growth Investment Act Tax Credit Homepage](#)