

Nebraska Department of Economic Development

Angel Investment Tax Credit

Annual Report of Qualified Small Business

Annual Report for Calendar Year: _____

Due Date: July 1

NOTE: QUALIFIED SMALL BUSINESSES MUST SUBMIT ANNUAL REPORTS FOR THE CALENDAR YEAR IN WHICH ANY QUALIFIED INVESTMENT IS MADE AND THE TWO FOLLOWING CALENDAR YEARS. QUALIFIED SMALL BUSINESSES MAY BE SUBJECT TO A FINE OF \$200 FOR FAILURE TO TIMELY FILE ANY ANNUAL REPORT.

Section I. Qualified Small Business

Legal Name: _____

Trade Name (if any): _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Website: _____

EIN: _____

NE Tax ID: _____

Section II. Qualified Small Business contact name and identifying information

Contact Name: _____

Title: _____

Phone: _____

Email: _____

Section III. Performance

1. Employment and payroll information:

In providing all the information requested below:

- use full-time equivalent employees (FTEs) calculated by dividing the total hours paid in a year by the product of 40 times the number of weeks of payroll in the year). For example, if a company paid 10,400 hours of work time (including 10,000 regular hours and 400 vacation hours) over the course of a 52-week payroll, the calculation would be (10,400 hours) / (40 x 52 weeks). The FTE calculation in this example is 5 FTEs.
- use the most recent payroll period (verification of payroll will be required as a condition of certification)
- wages include cash compensation and benefits

a. The Qualified Small Business is pre-payroll and has no employees. If checked, skip “b” through “d”; go to item 2.

b. At least 51% of the Qualified Small Business’ employees are employed in Nebraska.

Total number of employees everywhere: _____
Number of employees employed in Nebraska: _____

c. At least 51% of the Qualified Small Business’ payroll is paid or incurred in Nebraska.

Total payroll everywhere: _____
Payroll in Nebraska: _____

d. Attach most recent payroll register (evidencing payroll for employees everywhere)

2. Type of business (check one that best applies):

a. This Qualified Small Business is engaged in, or is committed to engage in, innovation in Nebraska in the following as its *primary* business activity:

- Using proprietary technology to add value to a product, process, or service in a qualified high-technology field; or
- Researching, developing, or producing a proprietary product, process, or service in a qualified high-technology field.

“Qualified high-technology fields” includes but is not limited to aerospace, agricultural processing, renewable energy, energy efficiency and conservation, environmental engineering, food technology, cellulosic ethanol, information technology, materials science technology, nanotechnology, telecommunications, biotechnology, medical device products, pharmaceuticals, diagnostics, biologicals, chemistry, veterinary science, and similar fields.

b. The Qualified Small Business is (check one that best applies):

- Engaged in one of the foregoing qualified high-technology fields; or
- Committing to engage in one of the foregoing qualified high-technology fields as described below:

c. The Qualified Small Business is NOT engaged in political consulting, leisure, hospitality, or professional services provided by attorneys, accountants, physicians, or health care consultants, except for activities listed in Item 2(a) above.

- True
- or
- False

d. Describe the Qualified Small Business' primary business activity, including:

- The high-technology field in which it operates; and
- The (i) proprietary technology that it owns or licenses or that it is developing, and/or (ii) the proprietary product, process, or service that it is researching, developing, or producing

3. What is the total amount of Angel Investment Tax Credits that have been allocated with respect to Qualified Investments in the Qualified Small Business:

In the previous calendar year: _____

Total amount for all years: _____

4. Has the Qualified Small Business ceased operations during the previous calendar year?

No

or

Yes

5. Is the Qualified Small Business insolvent?

No

or

Yes (If Yes, file Notification of Qualified Small Business Insolvency, **Form NDEDNOTINSLV**, within 30 calendar days of the earlier of the date of an accountant's opinion of insolvency or judgment of bankruptcy with respect to the Qualified Small Business)

Section IV. Certifications, Representations, and Authorizations

The undersigned certifies that it has been advised, acknowledges, and understands that no action taken by the State of Nebraska, the Nebraska Department of Economic Development, or by any employee, agent, or official of the State has been intended or shall be construed to:

(a) constitute an endorsement or recommendation of any business, its business activities, the quality of management of the business, the potential for earnings or of any financial investments made or proposed by any person or entity in the business, as a result of or related to the business' certification as a Qualified Small Business pursuant to the provisions of the Nebraska Angel Investment Tax Credit Act;

(b) constitute an endorsement or recommendation of the financial condition of, or of the business activities of, any investor or fund that has been certified as either a Qualified Investor or Qualified Fund under the Nebraska Angel Tax Investment Tax Credit Act;

(c) provide any assurance that a business as a Qualified Small Business, or any investor or fund certified as a Qualified Investor or Qualified Fund, or any investment classified as a Qualified Investment, under the Nebraska Angel Investment Tax Credit Act, is in compliance with any and all applicable federal and state securities or tax laws and regulations; or

(d) relieve any business or any person or business entity associated with it from any obligation to comply in full with the requirements of any and all applicable federal and state securities and tax laws and regulations.

The undersigned further certifies that has been advised, acknowledges, and understands that:

(a) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not selling, offering to sell, or soliciting an offer to buy any securities by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act;

(b) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not acting as a broker or dealer by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act; and

(c) the State of Nebraska, the Nebraska Department of Economic Development, and the employees, agents, and officials of the State are not acting as an investment advisor by any of their actions or activities under the Nebraska Angel Tax Investment Tax Credit Act.

Signature of Qualified Small Business Representative

Title

Date