

Instructions

Purpose. The Nebraska Form W-4N was developed due to significant differences between the federal and Nebraska laws regarding standard deductions and because personal exemptions are allowed on the Nebraska return. Beginning January 1, 2020, the Nebraska Form W-4N will be used by your employer in conjunction with the Nebraska Circular EN to determine the correct Nebraska income tax withholding when the federal Form W-4 is completed on or after January 1, 2020. Employees who have completed the federal Form W-4 prior to January 1, 2020, are not required to submit a Nebraska Form W-4N and employers will continue to use the federal Form W-4 on file for Nebraska withholding purposes. For every 2020 federal Form W-4 employers receive, a Nebraska W-4N must be completed. If you did not complete a federal Form W-4 prior to January 1, 2020 or beginning January 1, 2020 completed a federal Form W-4 but did not submit a Nebraska Form W-4N, your employer must withhold as if you were single and claimed no withholding allowances.

Withholding allowances directly affect how much money is withheld from your pay. The amount withheld is reduced for each allowance taken. Depending on your personal circumstances, you may not want to claim every allowance you are eligible to take. If you do not have enough state income tax withheld, an underpayment penalty may be charged.

Complete Form W-4N so your employer can withhold the correct Nebraska income tax from your pay. When your personal or financial situation changes, consider completing a new Form W-4N.

If you claim exemption from withholding, skip lines 1 and 2, write "exempt" on line 3, and sign the form to validate it. **An exemption is good for only 1 year.** You must give your employer a new Form W-4N by February 15 each year to continue your exemption. You cannot claim exemption from withholding if another person can claim you on their tax return; and your total income exceeds \$1,100 and includes more than \$350 of unearned income.

If your employer is subject to the special withholding procedures specified in the Nebraska Circular EN, you may be required to submit documentation to your employer to support your claim for exemption from withholding.

Employers

An employer may withhold an amount that is less than 1.5% of the employee's taxable wages if the employee provides sufficient documentation to verify that a lesser amount of income tax withholding is justified in the employee's particular circumstance. Documentation may include:

- Verification of number of children/dependents;
- Marital status; and/or
- The amount of itemized deductions.

Without documentation, the employee's income tax withholding must be set at 1.5% or at another level within the nonshaded area of the income tax withholding tables.

Penalties. The employer may be subject to a penalty of up to \$1,000 for each employee under-withheld if the employee's low income tax withholding is not substantiated.

A taxpayer who intentionally claims an excessive number of exemptions is guilty of a Class II misdemeanor.

Any person who willfully attempts to evade the Nebraska income tax is guilty of a Class IV felony.

Any person who willfully fails to withhold, deduct, and truthfully account for and pay over any income tax withheld is guilty of a Class IV felony.