The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

Present law provides that the state may issue tax credits against state income tax liability equal to certain expenditures made in order to produce a motion picture. The motion picture tax credits may be sold in order to raise capital for an approved motion picture film production.

Proposed law retains present law but prohibits the tax credit from being given to any motion picture production company where the credit is associated with a motion picture production which is deemed harmful to minors.

Present law provides that material which contains sexually explicit material is deemed harmful to minors and, therefore, may not be sold, leased or distributed to anyone under the age of 18 by anyone other than the parent, guardian or spouse of the minor.

Present law provides that a motion film production company must submit an application and a copy of the script to the Governor's Office of Film and Television Development in order to receive the investor film credits.

Proposed law retains present law but provides that the application be sworn to, before a notary, and that the production does not contain material in any scene which is harmful to minors and that neither the script or motion picture will not be changed to include such material in any scene.

Proposed law provides that, where tax credits have been granted for a motion picture which is later altered to include material deemed harmful to minors, the tax credit is forfeited and the state tax dollars may be recovered from the motion picture production company but may not be recovered from a third party who purchased the tax credits in good faith.

Proposed law provides that a state-certified production is eligible to receive an additional 2% reimbursement if the production is deemed to be family-friendly.

Proposed law defines a "family-friendly production" as a state-certified production which is determined to be "G-rated" by the Motion Picture Association of America and is, thereby, deemed appropriate for general audiences.

Proposed law provides that the additional 2% reimbursement is to be paid from any monies appropriated, but not spent, by June 15, of the fiscal year. The additional reimbursement shall be paid to the eligible motion picture production company on a first-come-first-served basis.

Effective August 15, 2009.

(Amends R.S. 47:6007(B)(4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) and (D)(2)(a)(i)(cc) and (ee); adds R.S. 47:6007(B)(14) and (15), (G) and (H))