

2015 Regular Session

SENATE BILL NO. 102

BY SENATOR MORRELL AND REPRESENTATIVE TALBOT

TAX/TAXATION. Limits expenditures for ATL services eligible for motion picture investor tax credits to 50% of total production expenditures in the state. (1/1/16)

1 AN ACT

2 To amend and reenact R.S. 47:6007(B)(10) and to enact R.S. 47:6007(B)(17), relative to
3 motion picture investor tax credits; to limit certification for credits if certain
4 expenditures exceed a certain percentage of production expenditures; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:6007(B)(10) is hereby amended and reenacted and R.S.
8 47:6007(B)(17) is hereby enacted to read as follows:

9 §6007. Motion picture investor tax credit

10 * * *

11 B. Definitions. For the purposes of this Section:

12 * * *

13 (10)(a) "Production expenditures" means preproduction, production, and
14 postproduction expenditures in this state directly relating to a state-certified
15 production, including without limitation the following: set construction and
16 operation; wardrobes, makeup, accessories, and related services; costs associated
17 with photography and sound synchronization, lighting, and related services and

1 materials; editing and related services; rental of facilities and equipment; leasing of
2 vehicles; costs of food and lodging; digital or tape editing, film processing, transfer
3 of film to tape or digital format, sound mixing, special and visual effects; and
4 payroll.

5 ~~(b) This~~ **The** term **"production expenditures"** shall not include
6 expenditures for **the following:**

7 **(i)** Marketing and distribution, non-production related overhead, amounts
8 reimbursed by the state or any other governmental entity, costs related to the transfer
9 of tax credits, amounts that are paid to persons or entities as a result of their
10 participation in profits from the exploitation of the production, the application fee,
11 or state or local taxes.

12 **(ii) Expenditures for Above the Line (ATL) services for the production**
13 **that exceed fifty percent of total production expenditures in the state for the**
14 **production.**

15 * * *

16 **(17) "Above the Line (ATL) services" means services such as those of a**
17 **producer, executive producer, line producer, coproducer, assistant producer,**
18 **actor, director, casting director, screenwriter, and other services of job positions**
19 **that are associated with the creative or financial control of a production and**
20 **customarily considered as Above the Line services in the film and television**
21 **industry.**

22 * * *

23 Section 2. The provisions of this Act shall apply to productions certified on and after
24 January 1, 2016.

25 Section 3. This Act shall become effective on January 1, 2016.

